The Game No One Can Win:

The Bedarfsgemeinschaft as a State Experiment in Violence Involving Two Disabled, Neurodivergent Artists

A Theory-Developing Critical Case Analysis of Institutional Violence in the German Social Welfare System

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Abstract

This paper examines a real and documented social-law constellation in which a German Jobcenter treats two disabled, neurodivergent artists and their shared child as a **Bedarfsgemeinschaft (German household-based means-tested benefit unit)**. The woman does not herself receive social benefits and maintains her economic independence through disability-limited part-time employment as well as artistic work. The man has worked intensively in art and research for decades, but due to disability, structural exclusion, and the lack of market remuneration, he is unable to generate an income sufficient to secure his subsistence from this work. Through the imputation of the woman's income, responsibility for securing his subsistence is effectively shifted onto her.

The study reconstructs this constellation as a game that no one can win. Every available course of action harms at least one of the people involved: If the woman supports the man, she consumes her own economic and health stability. If she protects herself, he remains inadequately provided for. If the man accepts her help, he has to watch her increasing harm. If he refuses it, he endangers his own existence. Moving out could dissolve the financial linkage, but would damage the family and the parent-child relationship. The formally private choice thus arises within coercive conditions created by the state.

From this case, the paper develops the concept of **state-imposed compulsory responsibility**. The Bedarfsgemeinschaft appears here not only as a social-law calculation model, but as a relational arrangement of violence that shifts state-produced scarcity into an intimate relationship. Care becomes a fiscal resource, love a pressure amplifier, and the partner an indirect instrument of behavioural control. At the same time, the person entitled to benefits is made into a powerless witness to the harming of a loved one. This structure is analysed as bound witnessing, delegated violence, and a familial double bind.

The study further shows that the logic of activation is based on a neurotypical false model. It assumes that increasing pressure produces motivation, action, and capacity for employment. Under conditions of autism, ADHD, anxiety disorder, and chronic overload, however, pressure can produce alarm, executive blockage, co-decompensation, and the loss of existing capacity to work. The system thereby produces the opposite of its declared goal: Instead of creating economic independence, it endangers the woman's employment, reduces the man's functional capacity, and increases the likelihood that both will become dependent on benefits in the future.

At the same time, the paper reconstructs the political economy of the constellation. Society draws cultural and intellectual benefit from the decades-long life works of both persons without adequately remunerating the labour embodied in them. State institutions recognise, archive, and present parts of these works; paintings by the woman hang in the state parliament. Nevertheless, her limited income is treated as a private social resource. The non-remuneration of cultural work is thus first socially produced and subsequently privatised within the relationship.

On this basis, the paper examines the threshold between activation, institutional violence, cruel or inhuman treatment, and torture-like production of pain. Not every Bedarfsgemeinschaft and not every burdensome social-law decision reaches this threshold. It becomes relevant, however, where the state intentionally generates existential pressure for the purpose of behavioural control, the

required action is unattainable because of disability, the pressure further reduces the capacity for action necessary to perform it, no safe exit exists, severe harms are known, and the measure is nevertheless continued. In this constellation, suffering loses its credible instrumental function and becomes violence detached from purpose.

The paper understands itself as a theory-developing critical case analysis of institutional violence within the German social-benefit system. It does not claim statistical generalisation. The documented case serves as a critical constellation through which an institutional mechanism is exposed, the occurrence of which can also be examined in other cases. The central conclusion is: A welfare state must not transfer responsibility for securing the subsistence of a disabled person onto a second disabled person in a manner that destroys that person's health, capacity for employment, and economic independence, places the family under pressure to separate, and nevertheless opens no realistically attainable way out. Where such an experiment disproves its own objective and produces nothing but further harm, it is not to be further optimised. It must be stopped.

Keywords: Bedarfsgemeinschaft, German means-tested benefit unit, household means testing, benefit unit, partner income assessment, income aggregation, family-based means testing, household-based welfare, welfare conditionality, institutional violence, state-imposed compulsory responsibility, neurodivergence, disability, autism, ADHD, activation logic, bound witnessing, familial double bind, delegated violence, production of work incapacity, unpaid artistic labour, poverty research, welfare state, human rights, Bürgergeld, social assistance, social law, SGB II, subsistence minimum, minimum income protection, workfare, social disciplining, structural violence, relational violence, neurodivergent poverty, autistic burnout, precarious cultural labour, disability poverty, forced dependency, privatization of welfare responsibility, cruel or inhuman treatment, inhuman treatment, ill-treatment, disintegration, torture.

Methodological Positioning

This study analyses a real and documented social-law constellation. Its subject is not the determination of every fact of the individual case, but the reconstruction of the institutional mechanism that emerges from the combination of disability, income imputation, the presumption of private financial responsibility, and the absence of any real possibility of exit.

The case is treated as a critical constellation. Its function is not to claim statistical representativeness. Rather, it makes visible a structural possibility: Under what conditions can the Bedarfsgemeinschaft become a form of state-imposed compulsory responsibility in which every available course of action harms at least one of the persons involved?

The representation as a game and an experiment is an analytical procedure. It does not claim that the institutions involved explicitly planned or described the process as an experiment. It reconstructs its operative structure: imposed rules, asymmetrical power to act, generated pressure, limited possibilities of exit, observable harms, and the absence of an effective threshold for termination.

The aim of the study is therefore not statistical but analytical generalisation. From the documented case, an institutional mechanism is identified whose occurrence can also be examined in other constellations.

The scientific significance of a critical individual case does not depend on its being statistically representative of a larger population. Case analyses can instead make institutional mechanisms visible at a density that is lost in aggregated studies, subject existing assumptions to a particularly demanding stress test, and contribute directly to theory formation. The individual case is therefore not merely a preparatory example for later research, but can itself constitute an independent site of scientific knowledge (Flyvbjerg 2006).

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Introduction

The **Bedarfsgemeinschaft** (*German household-based means-tested benefit unit*) is a specific form of an internationally widespread principle of means-tested social benefits: entitlements are not determined exclusively at the level of the individual, but by taking into account the income and assets of other persons within a defined *benefit unit*, *family unit*, or *economic unit*. Comparable mechanisms are examined internationally under terms such as *household means testing*, *family-based means testing*, *income aggregation*, or *partner income assessment*. The German Bedarfsgemeinschaft is not legally identical to these models. It nevertheless belongs to the same family of social-policy problems: private relationships and jointly presumed economic resources become the basis for calculating public subsistence support. The case examined here is therefore not relevant only to the German SGB II. In a particularly acute form, it makes visible an internationally relevant question: Under what conditions does the inclusion of partner or household income in means-tested social benefits change from an administrative calculation unit into a mechanism of forced private responsibility?

The present study is based on a real and documented case.

Three people are joined together by a German Jobcenter into a Bedarfsgemeinschaft: a man, a woman, and their shared child.

The woman does not herself receive social benefits. She is an award-winning and institutionally recognised visual artist and also works in part-time employment. Both adults are cultural workers with decades-long life works from which society derives cultural and intellectual benefit without adequately paying for the labour embodied in them. Parts of this work are recognised, archived, exhibited, and represented by state and public institutions. Paintings by the woman even hang in the state parliament.

Both adults are neurodivergent and disabled. The man is autistic and has ADHD. The woman lives with ADHD and an anxiety disorder. Autism is also suspected in their shared child; diagnostic clarification is still pending.

The starting point is therefore two people who, over decades, have made substantial contributions to the country, unpaid contributions to art, research, and culture, and who became poor partly as a consequence of this unpaid work. At the same time, their neurodivergence made access more difficult to a labour market whose structures, temporal orders, social demands, and productivity norms were not created for them.

Both nevertheless worked for long periods on art and research at the level of full-time employment. Even while receiving social benefits, the man worked 40 hours a week on his own projects.

In connection with his autism, his work had become a central special interest that he pursued with the intensity of a full-time occupation. His work, too, was a valuable contribution to art and research and was generally known within the field. Because of his disability, he was unable to sustain other paid employment over the long term.

The woman at times earned more income as an artist, took on additional work, and nevertheless remained in an extremely precarious economic situation. Her capacity for paid employment was not an infinitely available resource. It could only be maintained within the limits permitted by ADHD, anxiety disorder, and restricted capacity for strain.

In this situation, the Jobcenter declared both of them to constitute a Bedarfsgemeinschaft.

As a result, the woman's income was no longer treated exclusively as the basis of her own existence, health, capacity to work, and economic security. It was declared a resource for the man's support.

She was effectively deprived of the possibility of building adequate reserves. Neither of them received appropriate disability-related accommodation or an additional disability-related allowance. For the man, there were no employment offers adapted to his disability, no actual support, and no other assistance capable of changing his economic situation. This condition continued for more than thirteen years.

The Jobcenter thereby created the following arrangement:

A disabled woman who was capable of working only under limited conditions and who did not herself receive social benefits was additionally expected to bear the costs arising from the disability of a man to whom she was not married, but with whom she lived and had a shared child.

To secure his existence, she had to consume her own economic stability.

She was expected not only to continue working, but at the same time to forgo reserves, security, regeneration, and part of the material results of her work. She was violently pushed into poverty and driven to the limits of what she could still bear in terms of her health.

The man, in turn, was forced to watch.

He had to experience the state economically and psychologically destroying the woman through disability-inappropriate overburdening. At the same time, because of his own disability, he had no realistic possibility of ending the poverty and thus the coercive situation.

The only remaining way out would have been for him to separate from the woman and child in order no longer to burden them financially. A horrifying prospect, not only for the man.

He was not merely left inadequately provided for himself.

The state forced him to accept the economic and health-related destruction of a loved person as the price of his own survival.

He was expected to end this destruction by becoming economically independent. Yet precisely this achievement was one he could not produce because of his disability, his previous exclusion, and the additional overload generated by the proceedings. The Jobcenter had also never seriously attended to this, because it was clear that it was not going to work.

A fatal double bind thus emerged.

If he accepted the woman's help, he had to watch her increasing self-destruction.

If he did not accept it, he endangered his own existence.

If the woman tried to protect him, she damaged herself.

If she tried to protect herself, she had to accept his inadequate provision.

The state thereby placed the woman before the choice either to consume herself or to leave the person beside her inadequately provided for.

The choice appeared private.

Its conditions were created by the state.

This continuing existential threat developed a terrorising effect. It increasingly destroyed the man's health and the private space of protection and retreat that is particularly necessary for neurodivergent people. The relationship, which could have enabled stability and co-regulation, became a site of permanent alarm.

The state knew about the harms produced by this arrangement. Nevertheless, it did not end it. It continued and intensified it.

This was not merely an individual administrative error. The escalation corresponded to an internal logic of the Bürgergeld system.

This system pursues the declared aim of moving people as quickly as possible into economic independence and paid employment. Pressure, benefit reductions, income imputation, and the transfer of responsibility onto private relationships are among its instruments of control.

Bedarfsgemeinschaften also serve to reduce state expenditure. People who have not established a legal maintenance relationship are treated as though familial or partnership proximity were required to replace part of state-provided subsistence support.

Families and relationships are expected internally to assume responsibility for a poverty that they neither caused nor can overcome by their own means.

In the present case, the poverty was substantially connected to disability, neurodivergent exclusion, and an inaccessible labour market. It was therefore not an expression of refused personal responsibility, but also a consequence of social and state failures.

Precisely this should have created a special duty of protection.

Instead, the state transferred the costs of disability onto a second disabled person and accepted the most severe health-related, economic, and psychological harms.

In what follows, this real process is reconstructed as a game.

Not in order to trivialise it.

But to make its rules visible.

1. The State Game

This paper initially examines the documented process not as an administrative procedure, legal dispute, or social-policy controversy, but as a game setting.

This form may appear inappropriate in view of the real pain, illnesses, and threats to existence involved. Yet precisely for this reason, it makes visible a structure of violence that almost entirely disappears in the language of social law.

Social law speaks of income, need, capacity for employment, willingness to assume responsibility, and household community.

These terms break the process down into calculable variables.

They do not show who is hungry.

They do not show who lies awake at night.

They do not show who forces themselves to work beyond the limits of their own health.

They do not show who has to watch this happen.

They do not show how scarcity produced by the state enters a relationship and is transformed there into guilt, fear, and self-destruction.

The game reconstructed here is not a thought experiment.

The rules are real.

The stakes are real.

The money is real.

The disabilities are real.

The health consequences are real.

The relationship is real.

The child is real too.

Those involved cannot leave the game. They cannot end it by refusing to participate. They cannot change the rules. Even leaving the shared household or the relationship would not amount to a consequence-free termination of the game, but to another real loss.

The state, by contrast, sets the rules, evaluates the moves, controls the resources, and decides when a goal has been reached.

It does not bear the harm.

2. The Goals of the Game

The state opens the game with a clear goal:

> Achieve the economic independence of the person entitled to benefits as quickly as possible.

This goal is described through terms such as activation, personal responsibility, cooperation, placement, and overcoming benefit dependency.

The underlying assumption is:

> If the economic pressure becomes great enough, the affected person will change their behaviour.

The state thus treats the person entitled to benefits as a controllable player. By reducing security, that person is to be induced to take up paid employment, expand it, or produce some other form of economic independence.

The man's actual goal is:

> Survive without destroying the person you love.

The woman's goal is:

> Preserve your health, your work, and your economic independence while the state forces you to support a second disabled person.

The child's goal would have to be:

Preserve a safe living environment even as both parents become increasingly destabilised.

These goals are neither equivalent nor symmetrical.

The state can fail to achieve its goal without becoming ill.

It can recalculate a case.

It can issue another administrative decision.

It can refer to a court, a duty to cooperate, or a statutory presumption.

For those affected, failure may instead mean:

- loss of health,
- loss of capacity for employment,
- loss of economic independence,
- debt,
- destruction of artistic work,
- damage to the relationship,
- loss of the private space of protection,
- and both adults becoming fully dependent on benefits.

The state pursues an abstract goal.

Those affected are fighting for their survival.

3. The Rules

The game begins with three basic rules.

Rule 1: Proximity Counts as Income

The personal relationship between two people is treated as an economic resource.

The state does not first ask whether a voluntary and sustainable maintenance relationship actually exists. Through its legal attribution, it creates the expectation that one person will provide for the other.

Love, proximity, and shared living thus become fiscally usable variables. The fundamental conflict this creates for the affected persons is ignored.

Because here, more love automatically means more pain that can be inflicted on those affected. The first ethical boundary is already crossed here.

Relationship is punished.

Rule 2: Scarcity Is Not Eliminated, but Shifted

If the state reduces the man's benefits, his needs do not disappear.

He still requires food, clothing, mobility, healthcare, electricity, and housing.

The gap remains.

It is merely shifted from the state budget into the private relationship.

Rule 3: The Person Who Is Still Economically Independent Is Consumed First

The woman's income is not treated as part of a fragile equilibrium that requires investment, reserves, and periods of rest in order to preserve her limited capacity to work.

It is treated as a freely available resource.

Reserves, regeneration, healthcare provision, and the safeguarding of her employment are subordinated to the man's imputed needs.

The person who is not yet fully dependent on benefits is burdened until her own independence is endangered.

Rule 4: Disability Does Not Change the Target

The man is expected to become economically independent.

The woman is expected to continue working. Or to work more.

The fact that both remain functional only under certain conditions does not alter the basic requirement.

Disability is not understood as a limit to Belastbarkeit, but as an individual obstacle that is expected to be overcome within the same logic.

Rule 5: The State Is Allowed to Lose

If the measure does not produce economic independence, the state has failed to achieve its goal.

No immediate physical or psychological consequences arise for it.

If those affected lose, they lose their health, work, relationship, and material basis of existence.

4. The First Move

The state reduces the man's individual subsistence support because the woman's income exceeds the standard amount by 250 euros.

With this, the first move is made.

The woman receives no explicit order to replace the missing amount.

It is enough that the money is missing.

She can cover the shortfall.

Or she can watch as the man remains inadequately provided for.

The formal freedom of the decision conceals the material coercion.

If she covers the costs, she loses reserves, security, and possibilities for regeneration.

If she does not cover them, the man is directly affected.

The state does not have to tell her:

> Sacrifice yourself.

It only has to ensure that the person beside her does not have enough to live on.

The man is in the mirror-image coercive situation.

He can accept the support.

Then he sees how the woman increasingly consumes her own life.

Or he can refuse it.

Then he himself has to do without necessary means.

The violence does not lie in impoverishment alone.

It lies in the choice that is not a choice.

> Decide which one of you is to be harmed.

The game contains no move through which both can be protected.

5. Draw a Card

The social-law model treats life as a calculable sequence of monthly needs.

Real life, however, consists of disruptions.

Cars break down.

People become ill.

Devices fail.

Utility costs rise.

Treatments become necessary.

Working hours change.

In the game, these events appear as event cards.

Event Card 1: The Car Is Broken

The woman needs the car to reach her workplace.

The repair costs more than can be paid from current income.

Normally, reserves could absorb such an event.

But the reserves are missing because the income has already been used to compensate for the shortfall created by the state.

Possible moves:

Move A: Repair the Car from Reserves

Not possible.

The reserves have been used up or could not be built in the first place.

Move B: Take Out a Loan

The woman goes into debt in order to preserve the condition necessary for her work.

Her economic insecurity increases.

Move C: Do Without the Repair

The workplace is endangered.

The person who until now has still been economically independent moves closer to becoming dependent on benefits herself.

Move D: Save Elsewhere

Health, nutrition, clothing, treatment, or recovery have to be postponed.

Move E: Work More

The woman exceeds the limit of her disability-related restricted capacity for strain. She risks becoming seriously ill herself.

Move F: Let the Man Pay

Not possible.

His inability to pay is the starting point of the game.

The result of the round is:

> A measure intended to produce economic independence destroys the material basis of already existing employment.

The state has not created new capacity to work.

It has attacked existing capacity to work.

Event Card 2: Health Deteriorates

The woman can no longer maintain her previous working hours for health reasons.

Possible moves:

Move A: Continue Working Despite the Deterioration

The damage to her health increases.

Move B: Reduce Working Hours

Income falls.

Economic instability increases.

Move C: Forgo Treatment and Regeneration

Short-term capacity for employment is preserved at the expense of long-term health.

Move D: Leave the Man Inadequately Provided For

Her own stability is protected by accepting his inadequate provision.

Move E: Apply for Benefits Herself

The person whose employment the system was supposedly meant to protect and promote is herself pushed into benefit dependency.

Every move increases the probability that limited capacity for employment will become complete incapacity for work.

Event Card 3: The Man Decompensates

The man experiences permanently:

- existential fear,
- guilt towards the woman,
- the visible deterioration of her health,
- the impossibility of protecting her,
- bureaucratic overload,
- and the loss of his private space of retreat.

His ability to concentrate decreases.

His executive capacity for action decreases.

His capacity for strain declines.

His ability to submit applications, defend himself legally, plan, and take up employment deteriorates.

The state's goal remains unchanged:

> Become economically independent.

The real effect is:

Become increasingly incapable, through the pressure, of becoming economically independent.

The system thereby produces the opposite of its declared goal.

The answer can nevertheless be:

More pressure must be applied.

6. The Neurotypical False Model

The activation logic of the welfare state is based on a particular model of the human being.

This model assumes:

1. Pressure produces motivation.
2. Motivation is translated into action.
3. Action increases capacity for employment.
4. Capacity for employment leads to economic independence.

In neurodivergent people, each of these transitions can fail.

Pressure can produce not activation, but alarm.

Motivation can be present without being translatable into action.

More demands can fail to increase executive control capacity and instead block it.

Uncertainty can fail to produce flexibility and instead bind all available attention.

Under conditions of autism, ADHD, anxiety disorders, and chronic overload, increasing pressure can produce the following effects:

- executive blockage,
- avoidance behaviour,
- shutdown,
- sensory overload,
- chronic alarm,
- sleep disturbances,
- loss of capacity for regeneration,
- autistic burnout,
- and permanently reduced capacity for employment.

Research on autistic burnout describes a state of profound exhaustion, reduced access to previously available abilities, and diminished capacity for strain that can arise from chronic overload, sustained pressure to adapt, and a lack of sufficient support (Raymaker et al. 2020). Crucially, the loss of functioning does not result from a lack of motivation. It can instead be the result of a long-sustained attempt to meet demands that exceed the available internal and external resources.

The measure therefore does not merely fail because of a lack of will.

It is based on a false causal model.

In the present case, this false model affects both adults.

Both require a minimum degree of stability, predictability, Eigenzeit, and regeneration in order to maintain their respective functional capacity.

The Bedarfsgemeinschaft destroys precisely these conditions.

The woman can no longer regulate only her own capacity for strain. She must additionally absorb a shortfall produced by the state.

The man can no longer experience the shared living space as a protected space. He experiences it as the place where the costs of his existence become visible in the woman's body and health.

The relationship becomes a transmission medium of state violence.

Co-regulation turns into co-decompensation.

The state does not promote capacity to work.

It consumes it.

7. The Invisible Child

The social-law construction does not affect only two adults.

A child lives in the shared household.

A child does not first experience administrative decisions, legal concepts, or calculation formulas.

The child experiences atmosphere.

The child experiences exhaustion.

The child experiences fear.

The child experiences that money is missing.

The child experiences that both parents become less able to cope with strain.

The child experiences the loss of security and reliability within the family space.

If the child is itself neurodivergent, this protected space acquires additional significance. Predictability, emotional regulation, stable routines, and available caregivers are then not merely pleasant accompanying circumstances, but central conditions of the child's well-being.

The Bedarfsgemeinschaft can therefore destabilise precisely the family space that the state rhetorically presupposes as a site of mutual responsibility.

The state invokes the family.

At the same time, it consumes the conditions that stabilise it.

8. Two Life Works as Game Material

The ethical stakes are further raised by the fact that both adults have worked artistically and in research for decades.

Their works are not leisure products.

They are long-term artistic, research, and life contexts.

They contain labour that has received almost no social remuneration, but has produced cultural and public value.

The state can recognise, exhibit, archive, and use these results for its own cultural representation.

It does not thereby protect the material existence of their creators.

In the woman's case, this contradiction reaches a grotesque form:

> Her art hangs in the state parliament while the political order of the same state consumes her economic independence as a resource for supporting a second disabled person.

The work is permitted to represent parliament.

The artist herself is treated as a private source of financing.

The state therefore fails to pay twice.

First, it does not adequately pay for the artistic work.

Then it refuses full responsibility for the poverty that has partly resulted from this non-remuneration.

Finally, it declares that the two precarious artists must compensate for the consequences between themselves.

The socially produced non-remuneration is privatised.

The state does not say:

> These people have produced cultural value for decades without our institutions enabling them to sustain a viable existence.

It says:

> One of you still has income. Therefore, the state can save money on securing the subsistence of the other.

The formula is:

> The state hangs the art on its walls and withdraws from the artists the conditions for their further production.

Or, more concretely:

> The work hangs in parliament. Outside parliament, the artist's existence is treated as an available social resource.

9. Please Continue

The experimental arrangement does not resemble historical psychological experiments because a Jobcenter is a laboratory.

The phrase "Please continue" deliberately refers to Stanley Milgram's studies of obedience to authority (Milgram 1963, 1974). The constellations are not thereby equated. Rather, what is comparable is a limited functional relation: harmful actions are escalated step by step, responsibility is transferred to an authority that appears legitimate, and each individual step can appear small or procedural in comparison with the overall effect. Milgram's research shows how strongly the institutional instruction to continue can displace one's own moral decision to stop.

The similarity arises from a different structure.

An authority produces pain.

It does so step by step.

Each individual step appears administratively limited.

A calculation is changed.

An income is imputed.

A payment is reduced.

An objection is rejected.

Further proof is demanded.

Yet the individual steps accumulate into an overall effect that is no longer visible within the respective administrative procedure.

The woman loses security.

The man loses agency.

The child loses stability.

The relationship loses its protective function.

Nevertheless, the basic institutional instruction is:

> Continue.

Visible harm does not necessarily lead to termination.

It can be read as evidence that those affected have not yet been sufficiently activated.

The man becomes more ill.

Please continue.

The woman works beyond her limit of strain.

Please continue.

Reserves disappear.

Please continue.

The workplace is endangered.

Please continue.

The private protected space disintegrates.

Please continue.

The measure produces less rather than more capacity for employment.

Please continue.

At this point, the violence loses its claimed instrumental function.

If the required action is unattainable because of disability, pressure cannot produce it.

If the pressure is nevertheless continued, it no longer leads to a real way out.

It produces only further suffering.

10. Interruption of the Game

Up to this point, the documented process has been reconstructed as a game.

But nothing about it is symbolic.

The money is real.

The fear is real.

The disabilities are real.

The pain is real.

The jobs are real.

The economic destruction is real.

The guilt and powerlessness are real.

The relationship is real.

The child is real.

The life works are real too.

Those involved cannot end the game by overturning the game board.

The state, by contrast, can shift each individual harm into another category:

as an unintended side effect,

as a private relationship conflict,

as a pre-existing health condition,

as insufficient cooperation,

as inadequate labour-market integration,

or as individual failure.

This is precisely the function of social-law abstraction.

It breaks the nexus of violence down into separate administrative procedures until no one appears responsible for its overall effect.

The concept of violence used here is therefore not limited to immediate physical acts by an identifiable perpetrator. Structural violence can also arise where institutional orders predictably prevent people from realising their basic needs and possibilities, while the resulting harm appears as the normal implementation of social rules (Galtung 1969). Farmer expanded this perspective by examining how political and economic structures inscribe themselves into bodies, illness, and diminished possibilities for action. Institutional order is thus not only socially experienced, but bodily embodied (Farmer 2004).

The following analysis therefore does not merely examine whether the Bedarfsgemeinschaft is expedient, socially desirable, or constitutionally problematic.

The analysis thereby follows a movement close to institutional ethnography: it begins with lived experience and traces from there how administrative texts, categories, and structures of responsibility coordinate the everyday lives of those affected (Smith 2005). The institutional category is not merely a description of a pre-existing reality. It becomes practically effective by changing payments, limiting possibilities for action, and transforming relationships into administratively defined forms of responsibility. The study therefore does not claim to be a classical institutional ethnography itself, but it shares its perspective on the textually mediated organisation of life.

It asks further questions:

- When does state-produced pressure become institutional violence?
- When does behavioural control lose its claimed purpose?
- What happens when the required action is unattainable because of disability?
- When does an activation measure tip over into pure harm?
- What does it mean when the state knows, or must know, of severe consequences and nevertheless maintains the arrangement?
- When does the private relationship become the site in which state violence is executed?
- When does an inescapable coercive arrangement reach the threshold of cruel, inhuman, or torture-like treatment?

- And how does the state succeed in making this violence appear as the private responsibility of those affected?

The central thesis is:

> Under conditions of multiple disability and neurodivergence, the Bedarfsgemeinschaft can become a state-run experiment in compulsory responsibility and violence. It does not produce economic independence, but shifts state-produced underprovision into an intimate relationship and a familial protected space. One person is pushed towards health-related and economic self-sacrifice. The other is turned into a powerless witness to this harm. The child is exposed to increasing destabilisation of its living environment. Where every available move harms at least one person, no real exit from the coercive system exists, and the state nevertheless continues the pressure, activation ends. Violence detached from purpose begins.

11. From Social Programme to Experiment in Violence

The reconstruction so far has presented the documented case as a game. This form of presentation was not a literary embellishment. It served to expose the operative structure of a process that remains invisible in the administrative language of social law.

The Bürgergeld system does not describe its interventions as the infliction of pain.

It speaks of imputation.

It speaks of cooperation.

It speaks of activation.

It speaks of personal responsibility.

It speaks of overcoming benefit dependency.

Yet these terms merely name the institutionally claimed function of the measure. They say nothing about the mechanism through which the desired behavioural change is supposed to be produced.

In the case examined here, this mechanism consists in the production of existential pressure.

The state reduces the individual material security of a person. It knows that this person still requires food, housing, mobility, medical care, and social stability. It assumes that the resulting scarcity will force a change in behaviour.

Pain is therefore not merely an accidental side effect.

It is part of the technique of control.

The person entitled to benefits is supposed to perceive the difference between a secure and a threatened life. They are supposed to experience that their present way of life will no longer be sustained. This experience is intended to make them change their behaviour.

The political promise is:

> Pressure produces movement.

The welfare-state intervention is therefore based on an implicit experimental hypothesis:

> If a person is threatened strongly enough with material insecurity, dependency, and loss, they will change their behaviour in the direction desired by the state.

This hypothesis is not tested on an abstract model.

It is enacted on living human beings.

In the present case, it is enacted on two disabled and neurodivergent adults and, indirectly, on their child.

The state changes one variable: individual material security.

It then observes or administers the consequences:

- Does the man respond by entering paid employment?
- Does the woman work more?
- Does she assume additional costs?
- Are reserves used?
- Is the shared household maintained?
- Does one person leave the relationship?
- Does further benefit dependency arise?
- Does health deteriorate?

Unlike a scientific experiment, however, this procedure has no recognisable ethical boundary at which it would have to be terminated because of severe harm.

There is no independent monitoring of the overall effect.

There is no informed consent.

There is no protection for particularly vulnerable subjects.

There is no obligation to abandon the underlying hypothesis when the outcome contradicts the claimed objective.

And there is no neutral stop button.

Those affected cannot say:

> The experiment is harming us. We will no longer participate.

They can lodge objections, bring legal action, provide evidence, and point to health consequences. But as long as the underlying legal construction is maintained, the experiment continues.

This distinguishes a state-run experiment in violence from a mere political error.

A political error could be recognised and corrected.

An experiment in violence uses harm as a means and persists with it even though those affected show that the means does not achieve the goal.

11.1 Experiment Without an Interest in Knowledge

The term experiment might suggest that the state at least wants to find out whether its measures work.

But even this is doubtful.

In the case examined here, there was for years no serious intervention that could have made the claimed economic independence possible.

The man was not offered employment opportunities adapted to his disability.

No suitable working environment was developed.

No neurodivergence-appropriate model of artistic or scientific employment was tested.

There was no investigation into which conditions might increase his actual capacity to work.

There was no appropriate disability-related accommodation.

There was no sufficient additional allowance for disability-related needs.

The decisive intervention did not consist in support.

It consisted in withdrawal.

The German formula “Fördern und Fordern” — “support and demand” — thus becomes asymmetrical in the concrete case.

The demanding is real.

The support remains abstract.

The state does not change the world of work, accessibility, support structures, or the conditions of neurodivergent work.

Above all, it changes the intensity of scarcity.

The supposed experiment therefore does not test:

> Under what conditions can this person work?

It tests:

> How much pressure can be exerted on this person and their relationship before something changes?

This shift is ethically decisive.

The object of state activation is no longer the creation of possibilities.

The object becomes the limits of what those affected can endure.

11.2 Those Affected as Material of the Hypothesis

Within the logic of the system, the people involved are not treated as epistemic subjects in their own right.

Their knowledge of their own disability, capacity for strain, relationship, and economic reality carries only limited weight.

If the man says:

> The pressure makes me less able to act and makes me ill,

this can be treated as subjective experience.

If the woman says:

> The income imputation endangers my work and my health,

this can be classified as a private consequence of shared living.

If both say:

> We do not support one another economically in the form assumed by the state,

the institutional presumption can nevertheless be maintained.

The system thereby possesses a closed epistemic structure.

Its basic assumptions define which observations count.

If the pressure increases and the man does not enter paid employment, this does not necessarily count as a refutation of the measure. It can appear as a sign of insufficient cooperation.

If the woman becomes ill, this need not be treated as a consequence of the state construction. It can be treated as a personal pre-existing health condition.

If the relationship is damaged, this appears as a private conflict.

If the child is burdened, that burden disappears from the individual benefit calculation.

Every harm that occurs can thus be removed from the causal nexus.

The state sets the conditions.

Those affected bear the consequences.

The institutional interpretation subsequently separates the two again.

11.3 No Negative Outcome Refutes the Game

A scientific experiment must in principle be capable of failing.

A hypothesis must be capable of being refuted by observation.

In the experiment in violence examined here, this possibility scarcely exists.

If pressure leads to paid employment, this confirms the logic of activation.

If pressure does not lead to paid employment, it may be concluded that still more activation is necessary.

If the woman is forced to assume additional costs, this counts as functioning private responsibility.

If she thereby becomes dependent on benefits herself, a new benefit case emerges.

If the couple separates, the Bedarfsgemeinschaft may cease to exist.

The state construction then does not appear to have failed. The relationship has merely ceased to satisfy the conditions of the construction.

If the man becomes ill, his distance from employment can be treated as an expression of his individual limitations.

If the woman becomes ill, her capacity for strain was apparently lower than assumed.

No outcome compels the system to abandon its own hypothesis.

The game is therefore not merely asymmetrical.

It is institutionally unfalsifiable.

Its rules ensure that every outcome can be translated back into the logic of the system.

Precisely for this reason, it can continue for years.

11.4 The Reversal of Protection and Responsibility

The welfare state does not merely possess the right to steer the behaviour of disabled people.

Above all, it has a duty to protect their existence, participation, health, and self-determination.

In the case examined here, this direction of protection is reversed.

The man's disability does not lead to stronger individual protection.

It becomes the reason why the woman is expected to assume additional burdens.

The woman's disability does not lead to protection of her limited capacity for employment.

It is subordinated to the assumed private responsibility.

The neurodivergent needs of the child do not lead to special protection of family stability.

They remain outside the calculation.

The state thus transforms subjects of protection into mutual balancing resources.

One disabled person is used to reduce the costs of another disabled person.

The relationship is used to replace state responsibility.

The remaining capacity to work is used until it is itself endangered.

Art is socially used while its producers are materially consumed.

This is more than an incorrect distribution of income.

It is a structural reversal of the welfare state.

The state does not protect against risk.

It redistributes the risk within the family and calls this redistribution responsibility.

11.5 The Decisive Transition

Not every state measure that generates pressure is already torture.

Not every unjust income imputation is an experiment in violence.

Not every health-related harm, taken by itself, constitutes targeted inhuman treatment.

The decisive boundary lies where several conditions coincide:

1. The state intentionally generates material and psychological pressure.
2. This pressure explicitly serves behavioural control.
3. The required behavioural change is actually or disability-relatedly unattainable for the affected person.
4. The measure demonstrably reduces precisely the capacity for action and employment that it supposedly seeks to create.
5. The severe harms are known or foreseeable.
6. No real, violence-free exit from the arrangement exists.
7. The state nevertheless continues the pressure.

At this point, the quality of the process changes.

The pressure can no longer credibly be justified solely by an attainable goal of activation.

The harm continues even though its instrumental function has ceased to exist.

The state continues even though the experiment disproves its own objective.

This is where the following analysis begins.

It asks not only whether the system fails.

It asks what it means when a state intentionally produces pain, opens no realistic way out, and continues the harm despite its recognisable effects.

It asks at what point activation becomes violence.

And it asks at what point this violence must be described as cruel, inhuman, or torture-like.

12. The Political Intent: Pain as an Instrument of Activation

The violence described in the previous chapter must not be misunderstood as an unintended malfunction.

The Bürgergeld system (means-tested income support for jobseekers) does not generate material and psychological pressure accidentally.

It uses pressure as an instrument.

The basic political assumption is that people will overcome their need for benefits more quickly if the condition of receiving benefits is made sufficiently unpleasant, insecure, and controlled.

Within this logic, existential security appears not only as something to be protected.

It also appears as a possible obstacle.

If security is too reliable, according to the implicit assumption, the incentive to change one's own situation decreases. If security is reduced or made conditional, movement is supposed to follow.

State control therefore operates through a calculated difference:

> Remaining on benefits must appear more burdensome than the required behavioural change.

This burden is rarely described politically as pain.

It carries other names:

- incentive,
- obligation,
- cooperation,
- personal responsibility,
- demanding,
- placement pressure,
- consequence,
- or activation.

The terms, however, do not alter the mechanism.

A person is supposed to do something because the alternative is linked to material, social, or psychological disadvantages.

The state creates a threat and then offers compliance with its expectation as a possible way out.

Within this structure, suffering is not merely an unwanted side effect.

Its perceptibility is necessary.

Pressure that is not felt cannot steer behaviour.

A benefit reduction that has no material effect cannot fulfil a disciplinary function.

Income imputation that does not alter the lives of those affected creates no pressure to adapt.

The system therefore depends on the intervention having real consequences.

Something must be missing.

The person must perceive the insecurity.

The relationship must absorb the resulting gap.

The consequence must be severe enough to make behavioural change appear plausible.

Pain thereby becomes part of the political technology of activation.

This logic of control is connected to the international shift from social protection towards conditional activation and workfare. Support is increasingly tied to behavioural requirements, willingness to work, and the credible demonstration of one's own activity (Lødemel & Trickey 2001). Wacquant describes this development as part of a state politics that does not merely manage social insecurity, but politically organises it through control, discipline, and the moral distinction between legitimate and illegitimate need (Wacquant 2009). Benefit receipt thereby becomes at once a relationship of protection and discipline.

12.1 The Moral Narrative of Pressure

For such a policy to become socially acceptable, it requires a moral justification.

The infliction of hardship must not appear as violence.

It must be reinterpreted as help.

The state therefore claims that the pressure ultimately takes place in the interest of the affected person.

The measure is supposed to lead them out of dependency, passivity, and benefit need.

Pain becomes, in this narrative, a form of pedagogical care.

> We withdraw security from you so that you become independent.
>
> We increase the pressure so that you make use of your possibilities.
>
> We oblige your partner so that you take responsibility for one another.
>
> We endanger your present stability in order to make your future independence possible.

This narrative gives the intervention an educative structure.

The person entitled to benefits appears not primarily as the bearer of a right to subsistence support, but as a person whose behaviour must be corrected.

Their poverty becomes an educational problem.

Their dependency is treated as a condition that has not been sufficiently overcome.

Their way of life stands under suspicion of not moving in the socially desired direction without external pressure.

The relationship between state and affected person thereby shifts.

The state does not merely protect against poverty.

It evaluates whether a person is doing enough to leave that poverty.

It decides which activities count as work.

It decides which burdens are reasonable.

It decides which relationship is to be treated as an economic community of responsibility.

It decides how much pain may count as a necessary consequence.

The affected person is therefore simultaneously supported and disciplined.

12.2 The Political Production of Suspicion

The logic of activation rests on a fundamental distrust.

The state does not simply assume that people wish to avoid poverty, dependency, and social control.

It assumes that some of them might remain on benefits without pressure.

From this assumption arises the political suspicion:

> Whoever does not become economically independent may not be doing enough.

This suspicion can persist even where disability, illness, discrimination, or structural exclusions are documented.

The question then is no longer:

> Which conditions prevent this person from becoming economically independent?

It becomes:

> Which further requirement might nevertheless move them to do so?

Structural failure is thereby individualised.

An inaccessible labour market appears as insufficient adaptation on the part of the affected person.

Lack of support appears as lack of personal initiative.

Unpaid artistic and scientific work appears as unemployment.

Neurodivergent overload appears as lack of motivation or insufficient cooperation.

The political production of suspicion protects the system from criticism.

As long as the affected person can be regarded as potentially unwilling, the effectiveness of the measure does not have to be fundamentally questioned.

Failure is attributed to the player.

Not to the rules.

12.3 Populist Harshness as a Political End in Itself

Pressure fulfils not only a claimed labour-market function.

It also has a public and symbolic function.

Social policy is directed not only at the people affected by it.

It is directed at a political public at the same time.

Harshness is supposed to show that the state prevents supposed abuse.

It is supposed to reassure taxpayers that nobody is being supported "without giving something in return."

It is supposed to keep visible the boundary between population groups marked as productive and those marked as dependent.

It is supposed to demonstrate that support is not unconditional.

Pressure can therefore remain politically attractive even when its actual effect on capacity for employment is doubtful or even negative.

The measure then does not necessarily produce work.

It produces an image of state firmness.

The affected person becomes the object of a political performance:

> Through this person, the state demonstrates that poverty must not be comfortable.

This symbolic benefit alters the logic of the system.

For if the purpose of a measure lies not only in the concrete improvement of a person's life situation, but also in the public demonstration of harshness, its practical failure can remain politically inconsequential.

Even if the man finds no work, the reduction demonstrates that the state applies pressure.

Even if the woman becomes ill, the income imputation demonstrates that private responsibility is being demanded.

Even if both become less able to work, the political message remains intact:

> The state did not simply pay.

Symbolic success can therefore coexist with real social failure.

12.4 The Bedarfsgemeinschaft as a Disciplinary Architecture

Within this logic, the Bedarfsgemeinschaft is more than a calculation model.

It is a disciplinary architecture.

It extends state intervention from the individual person entitled to benefits into that person's intimate relationships.

The state no longer exerts pressure exclusively through the individual benefit claim.

It makes the partner part of the mechanism of control.

Her work is imputed.

Her income is observed.

Her reserves become relevant.

Her life decisions influence the man's entitlement.

Her willingness to support him is assumed or presumed.

State intervention therefore does not stop at the boundary of the individual.

It enters the relationship.

The partner is declared part of the economic environment of the benefit recipient.

Her resources become part of his activation conditions.

This multiplies the pressure.

The man experiences not only his own underprovision.

He experiences the burden placed on the woman.

The woman experiences not only the loss of her own means.

She experiences the man's underprovision.

Both are disciplined through the possible harming of the other.

The relationship becomes a pressure amplifier.

The stronger the bond, the more effective the measure.

A person who is indifferent to the other will be less easily steered through that person's suffering.

Love, by contrast, increases the sensitivity of the system.

Care for one another becomes a resource usable by the state.

This is the deeper violence of the Bedarfsgemeinschaft:

> The state does not merely use the partner's income. It uses the bond between the two people.

It needs no direct coercive instruction to the woman.

It does not have to order her to provide for the man.

It merely creates his need and leaves it to their relationship to produce the desired action.

Love carries out the enforcement.

12.5 Delegated Violence

The state can thereby maintain distance from the consequences of its own measure.

It cuts or reduces an entitlement.

It does not formally force the woman to make any payment.

It does not formally force the man to accept her support.

At the level of individual administrative acts, nobody appears to be obliged to destroy themselves.

The violence is delegated.

It is shifted by the state into the relationship.

The woman carries it out against herself by consuming her reserves, health, and capacity to work.

The man carries it out against himself by enduring underprovision, guilt, and powerlessness.

Both carry it out against one another without wanting to, because every decision affects the other person.

The state sets the initial conditions.

Those affected have to enact the consequences within their relationship.

This construction allows the institution moral relief.

The Jobcenter can state that it did not oblige the woman to finance the man.

It merely calculated the statutory need.

The woman decided herself which expenses she would cover.

The man decided himself to remain in the relationship and in the shared household.

Every individual decision appears private.

But coercion does not arise only through an explicit order.

It arises through the intentional narrowing of the available possibilities.

A person formally has several options.

In reality, all options lead to severe harm.

Delegation therefore does not change the origin of the violence.

It changes only its visible executor.

12.6 Destruction as an Incentive

In the present case, the pressure takes on a particularly cruel form.

The man is not supposed to be motivated only through his own poverty.

He is supposed to be motivated through the visible harming of the woman.

The message is, in effect:

> As long as you do not become economically independent, she has to pay for you.
>
> As long as you do not become economically independent, she loses security.
>
> As long as you do not become economically independent, you endanger her health and her work.

The state thereby makes the woman into a negative incentive.

Her increasing harm is supposed to show the man that the present condition cannot continue.

This does not mean that an individual caseworker consciously formulates this sentence.

The structure of the measure nevertheless produces it.

The man experiences the consequences of income imputation in her life.

Every bill, every necessary expense, and every overload can appear to him as a reminder:

> You have not yet achieved the required independence.

The harming of the loved person thereby becomes an instrument of pressure.

This is a considerable ethical intensification compared with a measure that affects only the person entitled to benefits.

The state no longer uses only that person's own pain.

It uses the pain of a third person.

And it forces the affected person to witness that pain.

12.7 The Impossible Rescue Task

The mechanism presupposes that the man is in principle capable of ending the woman's burden through a change in his own behaviour.

Only then could the pressure appear instrumental even within its own logic.

In the documented case, however, precisely this precondition is absent.

The man could not simply decide to become economically independent.

His employment history, autism, ADHD, decades of exclusion, and the absence of suitable support options limited the possibilities actually available to him.

The Jobcenter opened no concrete path out of the situation.

It provided no suitable activity.

It created no adapted working conditions.

It did not translate his artistic and research work into a viable employment structure.

It did not compensate for disability-related barriers.

It merely increased the pressure.

The man was thereby assigned a rescue task without being given a means of rescue.

> End the harm being done to the woman.
>
> Become economically independent.
>
> How this is supposed to happen remains your problem.

This demand is not merely difficult to fulfil.

Under the concrete conditions, it may be impossible to fulfil.

The man is thereby placed in the position of a bound witness.

Before his eyes, the woman is increasingly burdened.

He is told that he can end this.

But the required action is not available to him.

Precisely here lies the psychological structure of the double bind.

He is made morally responsible for the continuation of a violence that he did not order and cannot end.

12.8 When the Purpose Collapses

A political measure that deliberately uses pain as an instrument carries a particular burden of justification.

It would at least have to be able to show:

- that the required goal is attainable,
- that the pressure is suitable for advancing that goal,
- that milder means are insufficient,
- that the harms remain limited,
- and that the measure is ended as soon as it clearly fails to achieve its goal.

In the case examined here, these conditions collapse.

The goal has not been made concretely attainable.

The pressure reduces existing capacity to work.

A second disabled person is additionally endangered.

The child loses stability.

The relationship is damaged.

Milder and supportive measures were not exhausted.

Nevertheless, the mechanism continues.

At this point, the harm can no longer be described merely as a means within a rational activation programme.

The means detaches itself from the purpose.

What remains is the political instruction to exert pressure.

The state continues to know that harshness is to be demonstrated.

It continues to know that economic independence is the official goal.

But it no longer examines whether the concrete pressure still opens a real path towards that goal.

The violence becomes detached from purpose.

It continues because the system prescribes pressure, not because the pressure could still produce anything other than further harm.

12.9 The Point of Transition

The decisive transition therefore does not occur with every burdensome social-law regulation.

It occurs where deliberately produced pain meets an inescapable situation.

At first, the justification is:

> The pressure is intended to change behaviour.

Then it becomes apparent:

> The required change is unattainable.

It further becomes apparent:

> The pressure destroys the remaining capacity for action.

Finally, it is continued nevertheless.

From that moment onward, the suffering no longer possesses a credible instrumental function.

It is no longer inflicted in order to produce a realistically attainable way out.

It is inflicted because the apparatus knows no other response to the absence of the desired behaviour.

The state continues to increase the tension even though the circuit has long ceased to produce action.

It produces only pain.

The next question is therefore no longer merely whether the measure is unjust or inefficient.

It is:

> What legal and ethical quality does state-produced suffering acquire when it is deliberately used as an instrument of pressure, continued despite obvious hopelessness, and extended onto a loved person?

This begins the examination of the boundary between social disciplining, inhuman treatment, and torture.

13. Where Does Torture Begin?

The term torture usually refers to an extreme form of state violence.

It evokes images in which a person is detained, interrogated, beaten, subjected to electric shocks, or broken through other physical and psychological methods. Perpetrator and victim appear clearly separated from one another. The violence is visible. A room, a body, an instrument, and a state authority form an immediately recognisable connection.

The violence exercised in the present case takes a different form.

There is no interrogation room.

There are no electrodes.

No Jobcenter employee stands in the apartment forcing the woman to spend her income.

No one physically restrains the man while he watches her increasing overload.

And yet a structure emerges in which severe suffering is produced by the state, used as a means of pressure, and continued despite known hopelessness.

The question is therefore not whether a Bedarfsgemeinschaft outwardly resembles a classical torture scenario.

The question is:

> Which elements make torture torture, and can these elements also occur within an administratively mediated structure of violence?

This question must neither be answered too hastily nor avoided out of fear of the term.

If every burdensome state measure were described as torture, the term would lose its analytical and legal precision.

If, however, torture were recognised only where an immediately visible perpetrator exercises physical violence, modern forms of institutional pain production could in principle never be captured.

The analysis must therefore distinguish between mere metaphor and structural comparability.

13.1 Pain Does Not Have to Be Physical

Torture is often associated first with physical pain.

Yet psychological suffering can also reach an intensity that attacks a person in the foundations of their inner existence.

Psychological violence can:

- destroy the perception of safety,
- place a person in a state of permanent alarm,
- prevent sleep and regeneration,
- produce guilt and shame,
- dissolve one's own capacity for action,
- destroy relationships as spaces of protection,
- and produce a condition of complete hopelessness.

In the case examined here, the pain does not consist only in material poverty.

It arises from the combination of several effects of violence.

The man experiences his own existence as the cause of the woman's increasing harm.

He sees her income disappear.

He sees that her reserves are absent.

He sees that she has to continue functioning despite her disability.

He sees that her health is endangered.

He knows that the state initiated this process.

At the same time, he is told that he himself could end it by becoming economically independent.

Yet precisely this action is not realistically available to him.

The pain therefore does not consist merely in deprivation.

It consists in being forced to witness a loved person whose harm appears as a consequence of one's own continuing need.

This combination of love, guilt, powerlessness, and inescapability creates a particular psychological intensity.

The person is not merely harmed directly.

He is harmed through the injury of another person.

13.2 Bound Witnessing

A central form of violence in this case can be described as **bound witnessing**.

The man is made into the witness of a process that he cannot morally accept and cannot practically end.

His position resembles that of a person who is forced to watch the mistreatment of someone close to them while at the same time being told that they themselves are responsible for its continuation.

The restraint here is not physical.

It consists of:

- disability,
- poverty,
- lack of accessible employment opportunities,
- lack of support,
- state legal power,
- and the impossibility of leaving the arrangement without further severe losses.

The state does not say:

> You are not permitted to intervene.

Rather, it creates a situation in which no effective intervention is available.

The man cannot financially relieve the woman.

He cannot discard his disability.

He cannot spontaneously create a capacity to work that has not existed for years.

He cannot himself invalidate the state calculation.

He can only separate, move out, or destroy the shared form of life.

The apparent exit thus itself becomes another form of harm.

Bound witnessing therefore consists in a practically closed situation:

> The affected person has to see what is happening. He has to understand why it is happening. He is supposed to end it. But every realistically available path leads to further loss.

13.3 The Woman as an Indirectly Affected Person

The woman is not merely an economically involved member of the Bedarfsgemeinschaft.

She herself becomes an object of state pressure.

Formally, the subsistence benefit is directed at the man.

Materially, however, the reduction also affects her.

The state construction presupposes that she will absorb the resulting gap.

Her bond with the man makes it foreseeable that she will not simply leave him inadequately provided for.

Her moral relationship to him is thereby used against her.

The state does not directly access her bank account in order to order every individual expenditure.

It does, however, create the conditions under which her income is effectively used to compensate for state-produced underprovision.

Her options are:

- support the man and harm herself,
- not support the man and witness his harm,
- give up the relationship or shared household,
- or herself become fully dependent on benefits.

None of these possibilities leaves intact what the state supposedly seeks to protect: health, independence, family, and capacity for employment.

The woman is therefore not merely used as a resource.

She is forced into an arrangement in which her willingness to care becomes the form through which state violence is carried out.

13.4 Intent and Foreseeability

For the question of torture or torture-like violence, it is crucial whether the suffering arises merely accidentally or whether it forms part of an intentional state mechanism.

Within the Bürgergeld system, pressure is not an accident.

It is intended to change behaviour.

Material insecurity, income imputation, dependency, and the threat of loss are meant to be perceived. Otherwise, they could have no activating function.

This does not mean that the state explicitly formulates the objective:

> Destroy this woman.

Or:

> Force this man to watch her destruction.

The concrete harmful consequence can be narrower than the general political intent.

But the state intends the pressure mechanism from which the harm emerges.

It knows that individual subsistence support is reduced.

It knows that the unmet need remains.

It knows that close persons will typically try to absorb this need.

It knows or must know that disabled people possess only limited reserves of resilience.

It knows or must know that absent reserves, overwork, and permanent fear can produce health consequences.

If the mechanism is continued despite concrete indications of severe harm, the meaning of this knowledge changes.

What could initially be treated as a general risk becomes a known effect.

The state then no longer acts in ignorance.

It continues a measure whose destructive potential has become visible in the concrete case.

13.5 The Purpose of Producing Pain

Torture is not merely intense pain.

It typically has a purpose.

A person is supposed to say, confess, do, refrain from doing, accept, or endure something.

The violence examined here is also purposive.

The man is supposed to become economically independent.

He is supposed to overcome his need.

He is supposed to adapt his behaviour to the requirements of the labour market and the social-benefit system.

The woman is supposed to assume private responsibility.

She is supposed to materially support the community defined by the state.

Both are supposed to accept the state attribution and behave accordingly.

The pressure therefore contains disciplinary, coercive, and intimidating elements.

The message is:

> As long as you do not behave in the required manner, the burden remains.

The man can theoretically end the woman's harm by achieving the goal desired by the state.

The woman can theoretically end her own burden by ceasing to support the man, giving up the shared household, or ending the relationship to the detriment of the child.

Pain therefore functions as an instruction to change behaviour.

It is not merely the consequence of a static calculation.

It contains a message.

13.6 Impossible Obedience

The particular cruelty arises where the required behavioural change is not actually available.

A coercive arrangement can only claim an instrumental purpose if the affected person is, in principle, capable of ending the suffering through compliance.

In the present case, the demand placed on the man is:

> Become economically independent.

Yet no accessible path to this is created.

The disability remains.

The structural exclusion remains.

The unpaid work remains.

The lack of support remains.

The pressure itself additionally reduces the remaining capacity for action.

Compliance is therefore not simply difficult.

It may be impossible.

The man cannot comply with the instruction because the functional capacity required for doing so is precisely what is absent and is further destroyed by the measure.

Nevertheless, the harm remains tied to non-compliance with the instruction.

The woman continues to be burdened.

The man continues to watch.

The system behaves as though he could at any moment press the correct switch.

But this switch does not exist.

A form of impossible obedience thereby emerges:

> The state makes the end of suffering dependent on an action that the affected person cannot produce.

Such a structure differs qualitatively from a mere requirement.

It makes the suffering inescapable.

13.7 The Double Bind as a Technique of Violence

The double bind is not merely a psychological side effect.

It is a central component of the coercive arrangement.

The man is simultaneously confronted with several incompatible demands:

Provide for yourself.

Accept the woman's help because the state provides less.

Prevent her from being burdened by your need.

Preserve the family.

Leave the Bedarfsgemeinschaft if you want to avoid its consequences.

Compliance with any one demand violates another.

If he accepts support, he violates the goal of protecting the woman.

If he refuses it, he violates the goal of his own survival.

If he remains in the family, the income imputation remains in place.

If he separates, he destroys the family context that the state rhetorically claims to protect at the same time.

The woman is caught in a parallel double bind:

Remain economically independent.

Use your income for the community.

Preserve your health.

Work more if the money is insufficient.

Protect the man.

Prevent yourself from becoming dependent on benefits.

For her too, there is no action that can fulfil all requirements.

The double bind forces both people to experience inevitable failure as personal failure.

This is precisely where its destructive effect lies.

The contradiction of the system is transferred into the psyche of those affected.

13.8 No Safe Termination

A central feature of ethically regulated interventions would be the possibility of ending them when severe harm occurs.

That possibility is absent here.

Objection and legal action do not necessarily end the material effect immediately. If at all.

Pointing to health-related harm does not automatically lead to suspension.

The partner cannot unilaterally reject the income imputation.

The man cannot simply end his membership in the Bedarfsgemeinschaft as long as the actual living situation is institutionally assessed differently.

Moving out or separating would not be neutral acts of termination.

They would:

- alter family life,
- impair contact with the child,
- generate additional costs,
- cause psychological harm,
- and possibly destroy the mutual protection needed by both adults.

The only safe termination would be an institutional correction.

Yet precisely this is controlled by the state.

The violence therefore ends only when the authority that produces it itself decides to end it, or is forced to do so by another state authority.

Until then, those affected remain subject to the arrangement.

13.9 Gradual Escalation

The violence does not necessarily occur in a single dramatic act.

It develops step by step.

First, income is imputed.

Then reserves are missing.

Then a repair becomes difficult.

Then expenses are postponed.

Then fear increases.

Then health deteriorates.

Then capacity to work declines.

Then dependency intensifies.

Each individual step can appear administratively small.

The overall effect can nevertheless be devastating.

It is precisely this gradual structure that recalls experimental forms of escalating violence.

Each next stage appears only slightly more severe than the previous one.

A single administrative decision does not appear to destroy a relationship.

A single income imputation does not appear to cause incapacity for work.

A single postponed treatment does not appear to constitute torture.

Yet the accumulation of these steps produces a situation in which all areas of life are permeated by the same coercive structure.

The question of torture must therefore not be asked exclusively at the level of the individual administrative act.

It must examine the cumulative effect of the entire arrangement.

13.10 Administrative Distance

Modern institutional violence often has no single perpetrator who controls the overall effect.

The legislature creates rules.

The Jobcenter applies them.

One caseworker calculates income.

Another requests documents.

An objections office confirms the decision.

A court examines individual legal questions.

Each authority sees only one fragment.

Severe suffering can thereby be produced without any individual person having to understand themselves as the author of the overall violence.

The institutional division of labour creates moral distance.

Bauman has analysed the importance of modern bureaucracy for the distancing of action from consequence: division of labour, technical language, and limited jurisdiction can lead participants to perceive only a functional sub-task, while the moral significance of the overall process remains outside their immediate field of view (Bauman 1989). This reference does not assert a historical equivalence. It concerns only the problem that bureaucratic rationality can enable severe violence without individual actors understanding themselves as the authors of its overall effect.

The boundary between exceptional and everyday normalised violence is less clear than institutional categories suggest. Scheper-Hughes and Bourgois describe violence as a continuum that can encompass both overt physical assaults and socially normalised practices whose harmful effects are rendered invisible through habituation, institutionalisation, and moral distancing (Scheper-Hughes

& Bourgois 2004). For the present case, precisely this transition is decisive: the administrative normality of the individual act says nothing about the intensity of violence produced by its cumulative effect.

Every action appears rule-bound.

Every step can be described as technically necessary.

Responsibility is distributed so widely that it appears to disappear.

For those affected, however, the violence does not disappear.

They do not experience separate jurisdictions.

They experience a single, continuous state power.

The fact that this power is organisationally fragmented does not diminish its effect.

It merely makes responsibility more difficult to attribute.

13.11 Torture-Likeness

At this point, an initial structural determination can be made.

The arrangement examined here displays torture-like elements where it:

- produces severe physical or psychological suffering,
- produces this suffering through state action,
- uses it as a means of behavioural control,
- affects one person through the harming of a loved third person,
- creates an inescapable double bind,
- permits no realistically achievable compliance,
- allows no safe termination,
- and is continued despite known severe consequences.

The term **torture-like** does not initially claim that the legal definition of torture has already been conclusively fulfilled.

It denotes structural proximity.

This proximity lies not in outward form, but in the functional connection between:

- state power,
- intentional production of pain,
- coercion,
- inescapability,
- the breaking down of capacity for action,
- and continuation despite visible harm.

The Bedarfsgemeinschaft is therefore not being declared torture in general.

Rather, what is examined is a concrete constellation in which the state construction, under conditions of multiple disability, produces an intensity of violence that makes such an examination unavoidable.

13.12 The Transition to Violence Detached from Purpose

The decisive transition remains the one already described.

As long as the state claims that the pain leads to an attainable behavioural change, it presents it as instrumental.

This justification collapses when:

- no realistic path to economic independence exists,
- the pressure further reduces capacity for action,
- the woman is increasingly harmed,
- the child loses stability,
- and the measure is nevertheless continued.

The suffering then no longer has a real way out.

Those affected cannot produce the required solution.

The state knows or must know that the measure is failing to achieve its declared objective.

Nevertheless, the pain remains.

From this point onward, it is no longer merely a means.

It becomes the only reliable result of state action.

The system can continue to claim that it is pursuing economic independence.

But operationally it produces:

- underprovision,
- fear,
- guilt,
- self-sacrifice,
- illness,
- damage to the relationship,
- and reduced capacity for employment.

The stated intent remains directed towards activation.

The actual action remains directed towards the continuation of pressure.

Precisely in this separation between official description of purpose and actual effect, violence detached from purpose emerges.

13.13 The Threshold

Where, then, does torture begin?

Not every form of poverty is torture.

Not every instance of state harshness is torture.

Not every incorrect decision is torture.

The threshold becomes conceivable where a state consciously uses severe suffering as a means of coercion and continues that suffering despite demonstrated hopelessness, particular vulnerability, and the absence of any possibility of escape.

In the present case, this threshold is further intensified by the fact that the state does not affect only the person entitled to benefits.

It makes a loved person the bearer and visible site of the violence.

It forces the man to witness the woman's harm.

It forces the woman to choose between his harm and her own.

It destabilises the child's living environment.

And it makes the ending of this violence dependent on an action that is not realistically attainable.

The question of torture therefore does not arise from rhetorical exaggeration.

It arises from the structure of the process itself.

> If a state tells a person that they can end the visible destruction of a loved person by performing an act that is impossible because of disability, and if the state continues that destruction despite knowing of this impossibility, the measure has left the sphere of ordinary social administration.

The subsequent analysis must clarify whether this process should be classified, in the narrower legal sense, as torture, as cruel, inhuman, or degrading treatment, or as a distinct form of institutional violence.

What is already clear is:

The pain is not accidental.

The coercion is not private.

The hopelessness is not self-chosen.

And the continuation is carried out by the state.

13.14 Ill-Treatment and Disintegration

Even if the narrow legal threshold of torture is not conclusively established, the question remains how the concrete treatment below this threshold should be named.

The term ill-treatment describes treatment through which a person is subjected to substantial physical or psychological harm without requiring the outwardly visible forms of direct violence.

In the case examined here, the ill-treatment does not consist in a single act.

It consists in the continued production of a living situation in which both adults are forced to choose between underprovision, self-overburdening, illness, and familial destruction.

The man is not merely materially restricted.

He is forced into a situation in which his own survival is linked to the increasing harm of the woman.

The woman is not merely financially burdened.

She is pushed to consume her limited health, capacity to work, and economic independence in order to close a supply gap created by the state.

The term ill-treatment is therefore appropriate because those affected are not merely exposed to unfavourable consequences of a neutral calculation. They are subjected to a state-imposed coercive structure that is continued despite known harms and directly attacks their integrity.

While ill-treatment describes the quality of the treatment, **disintegration** describes its temporal and psychological mode of operation.

Disintegration does not necessarily occur through a single dramatic intervention.

It operates through repetition.

Through uncertainty.

Through constant small losses.

Through the erosion of reserves.

Through the damage to trust.

Through the transformation of the private protected space into a place of permanent alarm.

Through the experience that every action merely shifts the harm elsewhere.

Economic disintegration begins where reserves can no longer be created and every unforeseen event becomes a threat to existence.

Health-related disintegration begins where regeneration is permanently prevented and limited capacity for strain is systematically exceeded.

Psychological disintegration begins where guilt, powerlessness, and fear are no longer temporary reactions but become the basic condition of life.

Relational disintegration begins where love, care, and shared responsibility no longer protect, but become transmission channels for state-produced pressure.

Epistemic disintegration begins where those affected describe their situation clearly, but their experiences are not recognised as knowledge within institutional language. Their own perception continuously loses validity in relation to the calculation logic of the apparatus.

Disintegration in this context does not necessarily mean that every individual harmful consequence was expressly planned as an intended final state.

What matters is that a system maintains its burdensome structure despite visible harms and thereby gradually destroys precisely those capacities that it officially claims to promote.

The man increasingly loses the strength to defend himself legally, to plan, and to develop economic alternatives.

The woman increasingly loses the reserves that make her limited employment possible at all.

The family increasingly loses its function as a protected space.

The state measure therefore does not destroy suddenly.

It disassembles.

It withdraws, one after another, security, reserves, regeneration, trust, capacity for action, and future.

Precisely this slowness can make the violence invisible.

Each individual step appears limited when viewed in isolation.

The cumulative effect, however, is the progressive dissolution of the material, psychological, and social existence of those affected.

The concept of disintegration therefore names an essential difference between a one-time harm and the process examined here:

> The state does not merely inflict pain. It creates conditions under which, over time, those affected lose their capacity to escape the pain, compensate for it, or stabilise their own existence against it.

Ill-treatment describes the treatment.

Disintegration describes its trajectory.

Torture-likeness describes the possible crossing of a boundary that arises where severe suffering is intentionally used as a means of coercion, tied to an impossible demand, and continued despite known hopelessness.

14. Cruel, Inhuman and Degrading Treatment

The analysis so far has shown why the arrangement examined here may contain torture-like elements.

This does not yet determine whether all requirements of torture in the narrow legal sense are fulfilled. But this openness must not lead to the false conclusion that the measure is therefore merely harsh, ineffective, or a failure of social policy.

There is no legal vacuum between lawful social administration and torture.

Article 3 of the European Convention on Human Rights prohibits not only torture. It also prohibits inhuman and degrading treatment or punishment. The prohibition is absolute. Treatment can therefore violate human rights without already reaching the highest level of intensity associated with torture.

The UN Convention against Torture likewise distinguishes between torture and other forms of cruel, inhuman, or degrading treatment. The state remains obliged to prevent such forms of violence as well.

For the present case, this gradation is decisive.

The question is not only:

> Is this torture?

It is also:

> Can a state subject two disabled people to a predictably destructive, inescapable, and deliberately pressure-producing arrangement without at least touching the threshold of inhuman or degrading treatment?

14.1 The Minimum Threshold

Not every burdensome state measure reaches the human-rights threshold of inhuman or degrading treatment.

A certain level of intensity must be present.

This intensity, however, cannot be determined solely by the amount of money involved, by a single administrative decision, or by the duration of a single benefit reduction.

What matters is the overall effect of the treatment.

Particular account must be taken of:

- the duration of the burden,
- its physical and psychological effects,
- the particular vulnerability of those affected,
- their actual possibilities of escaping the situation,
- their dependence on state subsistence support,
- the authorities' knowledge of the consequences,
- and the cumulative effect of multiple interventions.

In the case examined here, there is no isolated inconvenience.

The arrangement extended over years.

It affected income, reserves, health, capacity for employment, relationship, family stability, and artistic work.

It did not affect persons with unlimited capacity for strain, but two neurodivergent and disabled people with already limited resources.

It did not produce a short-term restriction, but an enduring condition of life.

The threshold must therefore not be assessed on the basis of a single calculation step.

It must be assessed on the basis of the entire state-produced arrangement.

14.2 Inhuman Treatment

Treatment becomes inhuman when it causes severe physical or psychological suffering or exposes a person to an intensity of fear, distress, and helplessness that is no longer compatible with respect for human integrity.

In the present case, this quality arises from several interconnected elements.

The man is permanently exposed to existential insecurity.

He has to watch as the woman consumes her economic security and health-related capacity for strain.

He experiences himself as the cause of this harm.

He cannot end it.

He cannot discard his own need.

He cannot himself invalidate the state arrangement.

The apparent way out would consist in leaving the woman and child.

The end of the material burden is thereby linked to the possible destruction of the family.

The woman, in turn, is confronted with the choice either to use up her own health and economic stability or to accept the man's underprovision.

She too cannot leave the state arrangement without consequences.

The combination of duration, fear, guilt, health risks, and absence of any real alternative can reach an intensity at which it is no longer possible to speak of an ordinary burden of social law.

The treatment does not become inhuman only once a person has completely collapsed.

A human right does not protect only the person who has already been destroyed.

It must also protect against a state arrangement that foreseeably drives a person towards such destruction.

This applies especially to neurodivergent persons, who in such situations may react differently and be affected differently from neurotypical people.

14.3 Degrading Treatment

Degradation does not consist only in public humiliation.

Treatment can also be degrading where it conveys to a person that their needs, bonds, knowledge, and limits possess no independent value in relation to the state's objective.

In the present case, those affected are reduced to functions.

The man appears as a person who is not sufficiently economically utilised.

His decades of artistic and scientific work lose their character as work in the social-law assessment because they do not generate sufficient market income.

His disability does not first generate protection and support.

It appears as an obstacle whose costs are to be absorbed within the relationship.

The woman appears as a source of income.

Her own disability, her limited capacity for strain, her art, her necessary regeneration, and her economic risks are subordinated to the attributed duty to provide.

Her person is reduced to the question:

> How much of her income can be used for the Bedarfsgemeinschaft?

The relationship does not appear as an autonomous form of life.

It is treated as a fiscally usable structure.

The child scarcely appears within the activation logic as a subject of protection in its own right.

The child's family security is subordinated to the economic construction.

The degradation thus lies in an institutional devaluation of those involved.

They are not treated as people with autonomous life works, disabilities, limits, and relationships.

The specific form of their relationship — unmarried, without an intention to provide in the assumed sense, and without the actual capacity to do so — is ignored.

They are turned into resources that can be offset against one another.

14.4 Degradation Through Forced Dependency

The state justifies the Bedarfsgemeinschaft through private responsibility.

In reality, however, it creates a form of involuntary dependency.

The man loses part of his individual subsistence support and is referred to the fact that the woman has income.

His material existence as a disabled person is thereby tied to a private relationship.

He has to ask for support or at least accept it.

Disability becomes a relation of indebtedness.

He can no longer decide independently which expenses are necessary.

He cannot prevent his needs from affecting the woman's income.

This dependency is particularly degrading because it is subsequently presented as an expression of mutual responsibility.

The state creates the dependency and then treats it as a private life choice.

The woman is also made dependent.

Her economic independence increasingly depends on whether no repair, illness, additional payment, or other unexpected burden occurs.

She works, but nevertheless remains without real control over the material return from her work.

The more she earns, the more strongly her income can be used to justify reductions in state benefits.

Her employment therefore does not reliably lead to greater freedom.

It can lead to greater financial responsibility for a second person.

The system demands independence and produces dependency.

It demands personal responsibility and withdraws the means for autonomous living.

The state assumes no responsibility for the disability of both persons and the state-supported discrimination associated with it in the labour market.

14.5 The Degradation of Love

The degradation reaches particularly deeply where the bond between two people is functionally appropriated by the state.

The woman does not help the man because a law could produce love.

She helps him because she does not want to see him suffer.

The state can foresee this bond.

It knows that close persons do not ordinarily leave one another without food, mobility, or medical care.

Precisely for this reason, benefits can be reduced without the visible consequences immediately appearing in full on the state's side.

The relationship absorbs the harm.

Love is thereby transformed from a protective relation into an instrument of state cost reduction.

The more strongly the partner feels responsible, the more burden can be shifted into the relationship.

The more strongly the man loves her, the more heavily her harm weighs on him.

The system thus uses precisely those human qualities on which its own moral justification relies:

- care,
- loyalty,
- attachment,
- sense of responsibility,
- and the refusal to let a loved person suffer.

This has a degrading quality because the most intimate human bond is not respected but operationalised.

The relationship is allowed to exist.

But its existence becomes a financial disadvantage.

Love is taxed by being treated as capacity for burden.

14.6 Cruelty

The concept of cruelty denotes more than the mere production of harm.

Treatment becomes cruel where severe suffering is foreseeable, could be avoided, and is nevertheless subordinated to an abstract rule, a political signal, or a fiscal interest.

In the present case, the cruelty does not necessarily lie in an openly sadistic intention on the part of individual employees. Although this too may occur.

It lies in institutional indifference towards the concrete effect.

The state knows or must know:

- that both adults are disabled,
- that the woman has only limited capacity to work,
- that the man has no realistic short-term possibility of achieving economic independence,
- that reserves are necessary for maintaining employment,
- that the relationship and the child require a stable protected space,
- and that sustained pressure can reduce neurodivergent functional capacity.

Nevertheless, the income imputation continues.

The measure could be corrected, permanently suspended, or individually adapted.

Instead, priority is given to the abstract construction.

Cruelty appears here as a form of administered ruthlessness:

> The suffering is not necessarily enjoyed. It is declared irrelevant.

It is accepted because the rule appears more important than the person to whom it is applied.

14.7 Institutional Indifference Is Not Neutral

Authorities may object that they did not intend the harm.

They merely applied the law.

But institutional indifference is not neutral when severe consequences are known.

From the moment concrete indications of health-related, economic, and familial destruction exist, continuation can no longer be fully described as uninformed routine.

Knowledge changes responsibility.

Anyone who continues a measure despite known severe consequences does not necessarily positively intend every individual harm.

But they do decide not to make that harm a reason for correction.

The suffering is subordinated to other objectives.

It is thereby knowingly incorporated into the functioning of the measure.

The decisive question is then no longer:

> Did this authority intend exactly this health collapse?

It is:

> Did it know that its arrangement was producing severe harm, did it possess possibilities for review or interruption, and did it nevertheless continue the process?

A human-rights violation must not depend on an authority explicitly recording its own cruelty.

14.8 The Particular Vulnerability of Neurodivergent People

The intensity of treatment cannot be determined independently of the persons affected.

A measure that produces limited strain in one person may lead to severe decompensation in another.

This does not mean portraying neurodivergent people as fundamentally weak or incapable.

It means taking concrete functional conditions seriously.

Autistic people and people with ADHD can be highly capable when their working and living conditions fit their neurological profile.

The same people can experience massive loss of functioning under persistent uncertainty, contradictory demands, social control, sensory overload, and lack of regeneration.

The state must therefore not look exclusively at the abstract form of a measure.

It must consider its concrete effects on particularly vulnerable persons.

Anyone who knows that a person responds to chronic pressure with shutdown, burnout, executive blockage, or severe anxiety cannot claim that the same pressure is neutral merely because it is formally designed in the same way for everyone.

Formal equal treatment can, under unequal conditions, result in particularly severe ill-treatment.

14.9 Positive Duties of Protection

The prohibition of inhuman and degrading treatment is not necessarily exhausted by the requirement that state employees refrain from direct violence.

The state must also prevent people from remaining exposed to severe ill-treatment through its regulations or through known coercive situations.

In the present case, the danger is not generated exclusively by a private person.

The state construction itself creates the coercive situation.

It reduces individual subsistence support.

It imputes the woman's income.

It refuses to recognise separate economic responsibility.

It maintains the arrangement despite the communicated consequences.

The state therefore cannot simply retreat to the claim that the resulting conflicts within the relationship are private.

It has created the conditions under which these conflicts arise.

The more strongly it uses private care to relieve itself of public obligations, the less it can attribute the resulting harms to the private sphere.

14.10 No Justification Through Cost Reduction

Economic and administrative interests can be legitimate objects of state policy.

But they cannot without limit be placed above health, human dignity, and the prohibition of inhuman treatment.

Saving social-benefit expenditure does not justify treatment that forces a disabled person into severe psychological suffering.

It does not justify burdening a second disabled person to the point of endangering her capacity for employment.

It does not justify exposing a child to an increasingly destabilised family environment.

And it does not justify using the relationship as the site of enforcement of a violence that the state itself would not openly articulate.

The sentence:

> The partner has income on paper,

does not answer the human-rights question:

> What happens to these people when that income is treated as a substitute for state subsistence support?

A formally correct calculation can have an inhuman overall effect.

Legality under ordinary social law and compliance with human rights are not identical.

14.11 The Graduated Classification

The treatment examined here can therefore be assessed on several levels.

As ill-treatment, it describes the continued harmful treatment of two disabled people.

As disintegration, it describes the temporal process through which reserves, health, capacity for work, relationship, and agency are gradually dissolved.

As cruel treatment, it describes the maintenance of foreseeable and avoidable suffering in favour of abstract political and fiscal objectives.

As inhuman treatment, it describes severe psychological and material distress, hopelessness, and the endangerment of human integrity.

As degrading treatment, it describes the reduction of those involved to exploitable resources that can be offset against one another, and the forced dependency within their relationship.

As torture-like, it describes the structural connection between state-produced suffering, coercion, an impossible demand, bound witnessing, and continuation despite known hopelessness.

As torture in the narrow legal sense, it could only be classified as such if the additional applicable requirements can be established.

This gradation does not weaken the accusation.

It makes it more precise.

The ethical and human-rights untenability of the process does not depend on whether a court is willing immediately to use the most extreme term.

Even below the threshold of torture, the treatment may be absolutely prohibited.

14.12 The Burden of Proof of Civilisation

A democratic welfare state must not be satisfied merely because its violence is less visible than a blow.

Administrative violence does not necessarily leave bruises.

It can leave bank statements.

Sick notes.

Sleeplessness.

Panic.

Exhaustion.

Abandoned art.

Lost capacity to work.

Destroyed relationships.

And a child growing up in a household in a permanent state of alarm.

The invisibility of these traces does not make the treatment less real.

Rather, it increases the danger that it will continue.

The civilisational test of a state therefore does not begin only where it refrains from overt torture.

It begins where it recognises that its social-policy instruments can also break people.

A state that makes subsistence security conditional bears responsibility for the violence produced by those conditions.

A state that seeks to activate disabled people through pressure must prove that it is not destroying their functional capacity.

A state that uses private relationships to compensate for public obligations must prove that it is not transforming those relationships into sites of forced self-sacrifice.

In the present case, much suggests that this boundary has been crossed.

The question is no longer merely whether the Jobcenter calculated incorrectly.

The question is whether a welfare state may treat two disabled people in this way.

The answer must be:

No.

15. Please Continue: The Milgram Structure of Administrative Violence

The comparison with the Milgram experiment must not be misunderstood as an equation.

A Jobcenter is not a psychological laboratory.

Employees do not operate visible electric switches.

The affected persons are not strapped into a neighbouring room.

Nevertheless, the process examined here exhibits a structure that Milgram's experiment made particularly visible.

It concerns the question of how people can participate in harm within an institutional order even though its consequences are recognisable.

It concerns authority.

Gradual escalation.

The fragmentation of responsibility.

And an instruction that continues even after the original meaning of the process has long since collapsed:

> Please continue.

15.1 Violence Appears in Small Steps

Institutional violence rarely begins with an openly stated decision to destroy a person.

It begins with individual, seemingly limited actions.

An income is imputed.

An amount is reduced.

A declaration is not recognised.

Evidence is requested.

An objection is rejected.

A health consequence is not treated as relevant to the decision.

Each of these steps can, taken on its own, appear technical, legal, or administrative.

The overall effect emerges only through their accumulation.

The man receives less money.

The woman makes up the difference.

Reserves disappear.

An unforeseen event can no longer be absorbed.

The woman's capacity to work is endangered.

The man's guilt and overload increase.

The shared living space loses its protective function.

The child experiences increasing instability.

No single step has to contain the full violence in itself.

But every step increases the tension.

The next burden appears only slightly greater than the one before it.

This is precisely how an institution can continue further and further without having to perceive, at any single point, the full moral meaning of its actions.

15.2 The Authority of Procedure

In the Milgram experiment, authority did not come only from a single person.

It came from the scientific setting.

From the laboratory.

From institutional language.

From the assumption that those conducting the experiment knew what they were doing.

Social-law violence likewise does not appear as the private will of individual employees.

It appears in the name of a procedure.

The calculation follows a regulation.

The income imputation follows a legal construction.

The decision carries a case number.

The administrative decision cites legal provisions.

The objection is reviewed by another office.

A court may confirm the measure or initially decline to suspend it.

The violence thereby acquires an aura of institutional legitimacy.

The person implementing it can tell themselves:

> I am not deciding this personally.
>
> I am applying the law in force.
>
> The calculation follows the rules.
>
> I am not responsible for the health consequences.
>
> Other bodies decide on legality.

Authority thus lies in the procedure itself.

It morally relieves the individual participants without reducing the effect on those affected.

15.3 The Distribution of Responsibility

The violence examined here has no single visible author.

The legislature creates the construction of the Bedarfsgemeinschaft.

Political actors justify pressure as necessary activation.

The Jobcenter implements the regulation.

Caseworkers record income and needs.

The objections office reviews the administrative decision.

Courts examine individual legal questions.

Medical and social-law bodies assess disability, capacity for employment, or additional needs.

Each institution deals only with one fragment.

Precisely because of this, overall responsibility can disappear.

The legislature can state that it created a general rule.

The Jobcenter can state that it merely implements that rule.

The court can state that it examines only the specific matter in dispute.

The medical body can state that it does not decide on benefits.

Politics can state that authorities and courts are responsible for individual cases.

Each body refers to another.

For those affected, however, a single state is acting.

They do not experience separate jurisdictions.

They experience a coherent power that changes the conditions of their lives.

Institutional fragmentation does not protect those affected.

It protects institutions from perceiving their combined effect.

15.4 The Disappeared Victim

In administrative processing, concrete suffering can disappear from view.

The woman appears as income.

The man appears as need.

The child appears as part of the household constellation.

The relationship appears as a presumption of mutual responsibility.

The disabilities appear as diagnoses or conditions still to be assessed.

The life work does not appear at all.

Art does not appear as work as long as it does not produce sufficient income.

Fear appears as a health-related side effect.

The destruction of the relationship appears as a private risk.

The victim disappears behind the data.

This allows the institution to take the next step without having to see the whole person.

An amount is not connected to a face.

An income imputation is not understood as a repair that can no longer be paid for.

A repayment demand is not read as a sleepless night.

A rejection does not appear as another blow against an already destabilised protected space.

Abstraction is not merely a necessary form of modern administration.

It can become a condition that enables violence to continue.

15.5 The Woman as an Involuntary Enforcer

In the classical Milgram setting, a participant is induced to administer what they believe to be electric shocks to another person.

In the present case, the distribution of roles is more complicated.

The woman does not become a perpetrator in the moral sense.

She becomes an involuntary enforcer of state-produced underprovision.

She is expected to close the gap.

She is expected to bear additional costs.

She is expected to use reserves.

She is expected to continue working.

She is expected to burden her health.

If she does so, the violence is carried out against herself.

If she does not, the violence hits the man.

The state does not explicitly force her to press a switch.

It designs the setting so that her care takes over the function of the switch.

Every payment initially keeps the man afloat.

At the same time, it increases her own exposure to harm.

The woman therefore does not become the perpetrator, but the medium.

Her love, her sense of responsibility, and her refusal to let the man suffer transmit state violence onto her own body and economic existence.

15.6 The Man as Experimental Subject and Witness

The man occupies several positions at once.

He is the target of the activation measure.

He is the recipient of the benefit reduction.

He is dependent on the woman's reaction.

And he is the witness to her increasing harm.

The violence therefore works in two directions.

It affects him materially.

And it affects him through the woman.

His pain is perhaps intended to trigger behavioural change.

Yet the greater pain arises because the consequence of his continuing need becomes visible in the life of a loved person.

The message of the setting is:

> As long as you do not become economically independent, she will continue to be burdened.

The woman thereby becomes a living measuring device of state pressure.

Her exhaustion shows that the man has not yet reached the state's goal.

Her missing reserves show it.

Her fear shows it.

The risk of job loss shows it.

The man is forced to read every harm as a reminder of his supposed duty to rescue himself.

15.7 The Apparatus Knows Only Continuation

An institution could respond to visible harm by stopping.

It could say:

> The measure is not achieving its goal.
>
> It is reducing capacity for employment.
>
> It is endangering a second disabled person.
>
> It is destabilising a child.

It must be ended or fundamentally changed.

But the activation model allows another interpretation.

If the desired behavioural change does not occur, this can be taken as a sign that the previous measures were insufficient.

The person has not yet been reached.

Cooperation has not yet been sufficient.

The effort has not yet been great enough.

Private responsibility has not yet been fully realised.

The failure of the measure thereby becomes a justification for continuing it.

The man becomes more ill.

Please continue.

The woman loses reserves.

Please continue.

Her work becomes more insecure.

Please continue.

The child experiences increasing instability.

Please continue.

The capacity for employment of both decreases.

Please continue.

The repetition makes visible that the apparatus still possesses an instruction, but no longer a verified purpose.

15.8 The Difference from Milgram

The comparison, however, has limits.

In Milgram's experiment, the harm was temporally limited.

The participant could leave the laboratory.

The supposed electric shocks were administered within a clearly recognisable setting.

In the social-law experiment in violence, there is no comparably clear boundary.

The laboratory is the home.

The duration of the experiment is everyday life.

The instruments are money, time, fear, relationship, and administrative power.

The harm can last for months or years.

There is no moment when an experimenter explains that the shocks were not real.

There is no retrospective dissolution of the situation.

Those affected wake up the next morning in the same setting.

They open the same bills.

They see the same account balances.

They carry the same diagnoses.

They remain subject to the same rules.

In this sense, the social-law setting is not identical to Milgram.

It is closer to life, slower, and potentially more comprehensive in its duration.

15.9 The Missing Stop Command

In an ethically regulated experiment, the experiment would have to be stopped as soon as severe harm occurs.

The system examined here lacks a binding stop command.

There is no automatically effective principle:

> If a measure worsens health, it must be suspended.
>
> If it destroys capacity for employment, it must not continue.
>
> If it pushes a second disabled person into benefit dependency, the construction must be corrected.
>
> If it destabilises the familial protected space of a child, protection must take precedence over cost reduction.

Instead, those affected must force the termination themselves.

They must collect evidence.

They must lodge objections.

They must obtain medical documentation.

They must litigate.

They must meet deadlines.

They must translate their own destruction into the language of the system while that same destruction reduces their ability to defend themselves legally.

The victim therefore does not only have to suffer.

The victim must simultaneously organise the institutional proof against the suffering.

15.10 Obedience Without Moral Exoneration

The Milgram structure helps explain how institutional authority can weaken individual responsibility.

But it must not serve as a complete excuse.

Those who act within an institution remain responsible for not allowing visible severe harm to disappear completely behind rules.

The clearer the consequences become, the less sufficient the sentence becomes:

> I only applied the rules.

Rules possess no moral perception of their own.

People do.

Institutions must therefore create structures in which employees can interrupt, escalate, or refer a measure for renewed review when it is recognisably destructive.

If such structures are absent, or if warnings are systematically neutralised, this is not merely individual failure.

It is an organisational failure with violent effects.

15.11 Administrative Obedience

For the mechanism examined here, the term **administrative obedience** can be used.

It describes a form of institutional fulfilment of duty in which:

- individual steps appear formally correct,
- the overall effect lies outside one's own area of responsibility,
- responsibility is passed upward, downward, or sideways,
- and continuation of the procedure takes precedence over moral evaluation of its consequences.

Administrative obedience does not mean that employees are mindless tools.

It describes an institutional culture in which the correct procedure is easier to see than the damaged person.

The file is complete.

The calculation is traceable.

The deadline has been met.

The information on legal remedies has been provided.

At the same time, outside the file, a family is disintegrating.

15.12 The Experimental Finding

What does this experiment in violence show?

Not that pressure reliably brings people into work.

It shows that institutional violence can continue for a long time when it is:

- broken down into small steps,
- made to appear legitimate through legal language,
- distributed across several bodies,
- outsourced into private relationships,
- and equipped with no binding stop signal.

It also shows that the visible harming of a person does not necessarily lead to correction.

Within a closed activation model, it can be interpreted as insufficient adaptation on the part of the affected person.

The proximity to Milgram therefore does not lie in a superficial similarity of instruments.

It lies in a fundamental question:

> How far does an institutional order continue when authority, procedure, and the fragmentation of responsibility allow it to suspend its own moral judgement?

In the present case, the answer is:

Until the woman loses her economic and health stability.

Until the man loses his capacity for action.

Until the child loses its protected space.

And possibly further still.

15.13 No Experiment Without Experimenters

The concept of a state experiment in violence must not dissolve responsibility into an anonymous metaphor of "the system."

A system acts through people.

Laws are passed.

Political programmes are designed.

Administrative decisions are issued.

Warnings are read.

Decisions are maintained.

Legal remedies are resisted.

Courts decide on provisional protection.

The distribution of responsibility does not mean its absence.

Precisely because no single actor carries out the entirety of the violence, responsibility must be re-established at every level.

The legislature bears responsibility for the foreseeable effects of its construction.

The administration bears responsibility for its concrete application.

Leadership bears responsibility for organisational mechanisms of protection and correction.

Courts bear responsibility for effective legal protection.

Politics bears responsibility for a language that produces harshness while morally relieving its consequences.

The experimental structure must therefore not end with the sentence:

> No one intended this.

It forces the question:

> Who could have prevented the next step and did not?

15.14 From Obedience to Cruelty

Obedience explains how violence can continue.

It does not yet determine when that violence becomes cruel.

The transition lies where the institution no longer merely follows abstract rules, but receives concrete indications of severe harm and nevertheless continues.

Then ignorance becomes knowledge.

Routine becomes decision.

A general rule becomes the concrete treatment of this person.

The longer the harm continues, the more clearly it is documented, and the less attainable the claimed objective becomes, the weaker the exoneration provided by procedure.

At a certain point, no one can credibly say:

> We did not know what was happening.

What remains is:

> We knew and considered other objectives more important.

It is precisely here that the Milgram structure connects with the questions of ill-treatment, disintegration, inhuman treatment, and torture-likeness.

Three theoretically distinct mechanisms thereby converge: the structural production of avoidable harm (Galtung 1969; Farmer 2004), the bureaucratic distancing of action from overall consequence (Bauman 1989), and the continuation of harmful actions under the legitimising pressure of institutional authority (Milgram 1963, 1974). None of these models describes the present case completely. In combination, however, they explain how severe violence can arise and continue even though no individual participant need have explicitly planned or personally carried out the overall process.

Authority says:

> Please continue.

Moral responsibility begins where a person or institution would have to answer:

> No. This experiment must be stopped.

16. The Bedarfsgemeinschaft as a Double Bind

The analysis so far has shown how state pressure is produced step by step, institutionally distributed, and shifted into a private relationship.

At the centre of the case examined here, however, lies another structure: the double bind.

A double bind arises where a person is simultaneously subjected to several contradictory demands that cannot be fulfilled together, while exiting the situation is itself associated with severe harm.

The affected person cannot act correctly.

Every possible action violates another expectation.

Every decision produces guilt.

And precisely because the demands appear reasonable, moral, or without alternative, the structural contradiction is easily experienced as personal failure.

The Bedarfsgemeinschaft creates such a double bind not only for one person.

It creates it simultaneously for the man, the woman, and within the relationship between them.

The concept of the double bind goes back to Bateson, Jackson, Haley, and Weakland and describes a communicative and relational situation in which contradictory demands apply simultaneously, the contradiction itself cannot be effectively addressed, and leaving the situation is not possible without harm (Bateson et al. 1956). The present transfer does not adopt the historical and now outdated connection of the concept with a theory of the development of schizophrenia. It uses only its structural definition of incompatible demands under conditions of restricted possibilities for escape and metacommunication.

16.1 The Man's Double Bind

Several demands are directed at the man at the same time.

He is expected to become economically independent.

He is expected not to burden the woman financially.

He is expected to preserve the family.

He is expected to overcome his disability, or at least compensate for it to such an extent that it no longer generates state costs.

He is expected to accept support when his own means are insufficient.

At the same time, he is expected to prevent this support from destroying the woman.

These demands cannot be fulfilled together.

If he remains in the family and accepts the woman's support, her economic and health stability is endangered.

If he refuses her support, he accepts his own underprovision.

If he tries to relieve the woman by moving out, he damages the family and may lose daily contact with his child.

If he tries, despite overload, to take up some form of paid employment, he risks further health-related decompensation and failure under conditions that do not take his disability into account.

If he continues to concentrate on his actual artistic and scientific work, this does not count as sufficient economic independence.

If he gives up this work, he loses the central context of his life, his identity, and his neurodivergent mode of functioning.

Every move requires the sacrifice of another protected good.

The man therefore cannot simply fulfil the state's demand.

He can only decide which form of harm is to occur first.

16.2 Survive, but Cause No Costs

The deepest contradictory message is:

> Survive, but burden no one.

The man is expected to secure his existence.

Yet the means necessary for doing so are reduced.

He is expected not to rely on the woman.

Yet the state effectively points to her income.

He is expected to take responsibility.

Yet the conditions under which responsibility could become practically effective are not created.

He is expected to be autonomous.

Yet his autonomy is restricted by linking his subsistence minimum to the woman's income.

He is expected to protect the relationship.

Yet precisely the relationship triggers the state income imputation.

The mere continuation of his existence is thereby turned into a moral problem.

As long as he needs benefits, he appears as a burden.

As long as he lives with the woman, her income appears as an available resource.

As long as she supports him, she consumes herself.

As long as she consumes herself, he experiences guilt.

The state construction thus translates need into moral indebtedness.

The man seemingly owes the woman an economic independence that he cannot produce.

He owes the state the ending of a benefit dependency whose structural causes the state does not remove.

And he owes himself survival.

These debts contradict one another.

16.3 The Woman's Double Bind

The woman too is subjected to several incompatible demands.

She is expected to remain economically independent.

She is expected to continue working.

She is expected to regulate her disability in such a way that her employment can be maintained.

She is expected to build reserves and prepare for unforeseen expenses.

At the same time, her income is expected to be used to support the man.

She is expected to protect her health.

At the same time, she is expected to assume additional material responsibility.

She is expected not to leave the man inadequately provided for.

At the same time, she is expected to avoid becoming dependent on benefits herself.

She is expected to preserve the family.

At the same time, the family is punished for its economic existence.

These demands cannot be reconciled.

If she works more, she endangers her health.

If she works less, income falls.

If she uses her income for herself, the man remains inadequately provided for.

If she uses it for him, reserves and security are lost.

If she protects the relationship, her care is economically exploited.

If she protects her economic independence, she has to set limits against a loved person whose need was produced by the state.

The woman is therefore expected to be caring and unaffected at the same time.

She is expected to help without being burdened by helping.

She is expected to work without consuming the conditions of her ability to work.

She is expected to remain independent while the state treats her income as a shared resource.

For her too, there is no correct move.

16.4 Love as a Trap

The double bind is intensified by the emotional bond between the two.

If those involved were indifferent to one another, the woman might be able to ignore the man's underprovision.

The man might be able to treat her burden as her own problem.

But precisely because they are close to one another, they cannot simply ignore the other person's harm.

Love therefore changes the effect of the state arrangement.

It does not increase freedom.

It increases vulnerability.

The more strongly the woman wants to protect the man, the more likely she is to use her own resources.

The more strongly the man wants to protect the woman, the more strongly he experiences her self-sacrifice as his own moral guilt.

The relationship is thereby transformed into a trap.

> The more both try to protect one another, the deeper they are drawn into the coercive arrangement.

The violence is not directed against love from the outside.

It uses love's internal logic.

Care becomes economic transfer.

Loyalty becomes capacity for burden.

Proximity becomes justification for state savings.

Guilt becomes an invisible sanction.

16.5 Separation as an Apparent Way Out

A possible way out seems to consist in ending the relationship or the shared household.

The man could move out.

The Bedarfsgemeinschaft might cease to exist.

The woman's income would no longer be taken into account in the same way.

Formally, a solution appears.

In reality, this would not be a neutral exit.

It would be the destruction of precisely the form of life that the state rhetorically presupposes as a site of mutual responsibility.

The man would have to leave the woman and child in order to protect them from the financial consequences of his need.

The message is:

> If you love your family, you must leave them.

Here the double bind reaches a particularly cruel form.

If the man stays, his presence harms the woman economically.

If he leaves, he harms the family.

The relationship itself is declared the problem, even though the relationship does not create the scarcity; the state income imputation does.

The state thereby produces a separation premium.

Not necessarily in the form of an explicit payment, but through the different treatment of shared and separate living.

The family is economically punished for continuing to exist.

16.6 The Child Within the Double Bind

The child is not merely passively affected by the consequences.

The child becomes part of the contradictory decision structure.

The man is expected to relieve the woman.

Moving out could make this possible.

But moving out would change everyday life with the child.

The woman is expected to protect her health and her work.

But to do so, she might have to limit her support for the man or accept spatial separation.

Both are expected to provide a stable family.

But the state construction makes their shared form of life the cause of the economic burden.

The child is thus caught between several incompatible interests requiring protection:

- material stability,
- the presence of both parents,
- the mother's health stability,
- the father's health stability,
- reliable routines,
- and preservation of the shared household.

None of these goods can be fully protected as long as the game remains unchanged.

For a child who may itself be neurodivergent, this destabilisation is particularly serious.

The system forces the parents to choose between protected goods that the child would need simultaneously.

16.7 The Private Protected Space as a Site of Enforcement

For neurodivergent people, private space often has a particular function.

It is not merely housing.

It is a place of sensory reduction, regeneration, predictability, and restoration of capacity for action.

In the case examined here, this space loses its protective function.

The state arrangement does not remain outside the home.

It enters with every bank statement.

With every bill.

With every necessary expense.

With every question of who can pay for something.

With every exhaustion of the woman.

With every feeling of guilt in the man.

The home becomes the place where the state decision is carried out again each day.

The man cannot withdraw from the burden because it remains visible in shared everyday life.

The woman cannot regenerate because the financial gap remains.

The protected space becomes a site of enforcement.

This is precisely what intensifies the neurodivergent burden.

There is no longer any place where the nervous system can treat the danger as having ended.

The institutional threat becomes a permanent background stimulus.

16.8 Unsolvability as Psychological Violence

A difficult situation is not necessarily a double bind.

What is decisive is that no action can resolve the contradictory demands.

Those affected can make greater efforts.

They can save.

They can go without.

They can work.

They can submit applications.

They can litigate.

But as long as the basic structure remains in place, these actions merely shift the harm.

More work by the woman may increase income in the short term, but destroy her health in the long term.

More pressure to adapt on the man may generate activity in the short term, but reduce his functional capacity in the long term.

More mutual support may alleviate acute need, but further undermine the woman's economic independence.

Greater distance may reduce the income imputation, but damage the family.

Unsolvability itself becomes a form of psychological violence.

The person remains constantly in motion without being able to reach an exit.

They must continually decide without being able to make a correct decision.

They bear responsibility without possessing effective agency.

16.9 The Individualisation of the Contradiction

The structural contradiction is not recognised by the institution as its own failure.

It is returned to those affected.

The man experiences himself as insufficiently independent.

The woman experiences herself as perhaps not resilient enough.

Both may begin to experience the other as the cause of the hardship.

The relationship can develop conflicts that appear private:

- Who spends too much?
- Who works enough?
- Who bears which costs?
- Who protects whom?
- Who owes whom what?
- Who should change their limits?

But these conflicts arise within scarcity produced by the state.

The institutional construction disappears behind the private conflict.

The state creates the contradiction.

Those affected experience it as a personal or relationship problem.

This is a central form of displacement of violence.

16.10 Moral Injury

The double bind can produce moral injury.

The concept of moral injury was developed particularly for situations in which people perform, fail to perform, or are forced to witness actions that violate their own fundamental moral convictions and can thereby produce guilt, shame, loss of trust, and damage to one's sense of self (Litz et al. 2009). Although the concept was developed primarily in the context of military experience, its basic structure is relevant here as well: both affected persons are forced to violate either their own duty to protect the other or their obligation to protect their own health and existence.

Moral injury arises when a person is forced to act against central values, to witness severe violations of those values, or to feel responsible for events they could not prevent.

In the case examined here, the man wants to protect the woman.

Yet he has to accept her support or remains inadequately provided for himself.

He wants to be a responsible father and partner.

The state construction simultaneously turns his presence into an economic burden.

He wants to work and contribute to society.

His actual work, however, is not recognised as sufficient economic performance.

He wants to be autonomous.

He is forced into private dependency.

The woman wants to protect the man.

In doing so, she has to exceed her own limits.

She wants to preserve her work.

She has to use resources necessary for maintaining it to compensate for state-produced underprovision.

She wants to remain stable for the child.

The coercive arrangement reduces her stability.

Both are therefore forced to act against their own moral obligations regardless of which decision they make.

The resulting pain is not merely stress.

It affects the sense of self.

16.11 Negative Responsibility

The Bedarfsgemeinschaft creates a particular form of negative responsibility.

The man is not held responsible for an action he has committed.

He is held responsible for the absence of an action he cannot produce.

He has not achieved economic independence.

Therefore, the woman remains burdened.

The woman, in turn, is held responsible for compensating for the scarcity because she earns income.

Not because she voluntarily assumed a legal maintenance obligation.

Not because she caused the man's disability.

But because she exists, works, and is connected to him.

Both are thereby made liable for something outside their actual control.

The man for his disability and exclusion.

The woman for the consequences of his disability.

This negative responsibility serves to relieve the state.

What the state does not bear appears as an unfulfilled obligation of those affected.

16.12 The Destruction of Agency

The official logic claims to strengthen personal responsibility.

The double bind produces the opposite.

Agency arises where people can choose between real alternatives and bring about effective change through their decisions.

Such alternatives are absent in the setting examined here.

Every decision is neutralised by another state or material condition.

This produces learned ineffectiveness.

Those affected continue to act, but experience that their actions produce no stable way out.

They save, but remain poor.

They work, but lose security.

They support one another, but are further burdened by doing so.

They pursue legal remedies while the effects of the decision continue.

They point to harms without the mechanism ending.

The experience is:

> What we do is never enough.

This experience reduces initiative, planning, and orientation towards the future.

Precisely the capacity for action that the state claims to promote is dissolved by the double bind.

16.13 The Double Bind as a Technique of Activation

The double bind is not necessarily explicitly planned.

It nevertheless arises foreseeably from the construction.

The state sets several goals at the same time:

- reduction of expenditure,
- activation of the man,
- preservation of the woman's employment,
- private responsibility to provide,
- protection of the family,
- protection against benefit dependency,
- and individual personal responsibility.

In the concrete case, these goals contradict one another.

Cost reduction endangers the woman's capacity for employment.

Activation pressure reduces the man's functional capacity.

Private responsibility destabilises the family.

Formal personal responsibility produces factual dependency.

The state does not have to resolve any of these contradictions openly.

It transfers their resolution to those affected.

They are expected to reconcile the irreconcilable in private.

Precisely in this way, the double bind becomes a technique of activation.

Those affected remain in constant motion.

They must continually react, improvise, and compensate.

All of their energy becomes tied up in managing scarcity.

16.14 No Victory, Only Displacement of Harm

This confirms the basic structure of the game.

There is no winning move.

There are only different ways of distributing the harm.

The man can harm himself more in order to relieve the woman.

The woman can harm herself more in order to protect the man.

Both can damage the relationship in order to achieve economic relief.

They can give up reserves to conceal the present shortage.

They can give up health in order to preserve work.

They can give up art and research in order to free more time for standardised employment demands.

But no move solves the underlying problem.

The disability does not disappear.

The inaccessible labour market does not disappear.

The non-remuneration of cultural work does not disappear.

The state attribution does not disappear.

The scarcity is merely shifted between bodies, accounts, relationships, and futures.

16.15 Double Bind and Torture-Likeness

The double bind alone is not torture.

It becomes torture-like, however, when combined with severe suffering, state power, coerced behavioural change, and the absence of any possibility of escape.

In the case examined here, the man is expected to end the pain by becoming economically independent.

He cannot do this.

The woman is expected to end her burden by limiting her care or abandoning the shared form of life.

This too is neither a reasonable nor a harm-free way out.

Both are therefore given an apparent possibility of ending the suffering.

In reality, it does not exist.

This is precisely what intensifies the violence.

> The system claims that the exit remains open while blocking all real paths towards it.

Those affected are therefore not merely harmed.

They are forced to experience their harm as the result of their own inadequate decisions.

16.16 The Actual Function

The double bind performs an important function for the system.

It prevents the state construction from remaining visible as the sole cause of the harm.

Because each person formally makes decisions, every consequence can appear as the result of private choice.

The woman decided to support the man.

The man decided to live with her.

Both decided not to live economically separately.

The man did not take up sufficient paid employment.

The woman exceeded her capacity for strain.

But these decisions take place within a space whose boundaries were set by the state.

The available choices are prestructured.

Harm is built into each of them.

The double bind transforms state violence into personal decision.

16.17 Resolving the Double Bind

A double bind cannot be resolved through greater effort on the part of those affected.

It can only be dissolved at the level at which the contradiction was produced.

In the case examined here, this would require at least:

- restoration of individual subsistence support,
- recognition of genuinely separate economic responsibility,
- protection of the woman's limited capacity for employment,
- disability-appropriate support for the man,
- preservation of necessary reserves,
- recognition of neurodivergent functional conditions,
- and priority for family stability over the fiscal exploitation of proximity.

The solution cannot be:

> Those affected must organise themselves better.

They have organised themselves for years.

Precisely this permanent compensation has kept the mechanism of violence invisible.

The solution must be:

> The state must stop delegating an insoluble contradiction into the relationship.

As long as this does not happen, every demand for greater personal responsibility remains cynical.

People cannot assume responsibility for an outcome that the system structurally prevents.

The Bedarfsgemeinschaft therefore appears not as a community of mutual care.

It appears as a state-produced double bind in which care becomes a trap, proximity becomes a burden, and survival becomes guilt.

17. The Fiction of Family Responsibility

The Bedarfsgemeinschaft is politically and legally justified in terms of responsibility.

People who live together in a close relationship are expected to provide for one another. The state presents this expectation as an expression of solidarity, proximity, and shared life.

In the case examined here, however, this language conceals a different process.

The responsibility is not voluntarily assumed.

It is attributed.

It does not arise from a clearly established legal maintenance obligation.

It is derived from proximity, shared housing, and family ties.

It is assumed even where the persons affected wish to maintain separate spheres of economic responsibility and where the supposedly responsible person is herself disabled, precarious, and only partially able to work.

The concept of responsibility therefore performs an ideological function.

It transforms state withdrawal into private morality.

The state does not say:

> We are reducing our responsibility for securing this person's existence.

It says:

> The partner must assume more responsibility.

The shifting of costs thus appears not as a relief of the state, but as a moral obligation of the family.

17.1 Responsibility Without Decision

Responsibility ordinarily presupposes a relationship between agency and obligation.

A person can be held responsible for something if they:

- have performed an action,
- have effectively assumed an obligation,
- can control a situation,
- or possess real means to prevent harm.

In the present case, this connection is absent.

The woman did not cause the man's disability.

She did not cause his exclusion from the labour market.

She did not cause the non-remuneration of his artistic and scientific work.

She did not create the welfare-state rules.

She did not enter into marriage and thereby choose a comprehensive legal maintenance regime.

She cannot eliminate the structural causes of his poverty.

Nevertheless, she is expected to bear their material consequences.

Her responsibility does not arise from causation or control.

It arises from spatial and emotional proximity.

Responsibility is thereby separated from agency.

The woman is expected to be liable for a condition she neither created nor controls.

At the same time, the man is held responsible for ending this liability through economic independence, even though he too does not control the decisive conditions.

Responsibility is attributed to both.

Neither is given the power necessary to fulfil it.

17.2 The Fiction of Available Surplus

The fiction of family responsibility rests on another assumption:

> Anyone who earns income has a surplus that can be used within the Bedarfsgemeinschaft.

This assumption abstracts from the conditions under which the income is produced in the first place.

The woman's income is not a freely available surplus.

It is tied to a fragile capacity for employment.

This capacity requires:

- mobility,
- reserves,
- health,
- regeneration,
- predictable expenditure,
- protection from overload,
- and a minimum degree of economic security.

If income is treated entirely as a resource available in the present, precisely those conditions are consumed that make its future production possible.

If the person is additionally self-employed, as an artist, her income cannot be assessed simply month by month where projects extend over longer periods, require advance expenditure, or involve overall remuneration for work performed across a larger period.

The social-law model treats income as a static amount.

Actual life treats income as part of a temporal context.

Reserves used today are missing tomorrow when a repair becomes necessary.

Regeneration skipped today is missing tomorrow in the capacity to work.

Treatment postponed today appears later as illness.

Investments for the following year are prevented.

Additional burdens assumed today can permanently destroy employment.

The fiction of surplus ignores this temporality.

It takes what is present in the current month and treats it as available without consequence.

17.3 The Privatisation of Disability Costs

The central function of the Bedarfsgemeinschaft in the case examined here is to privatise the costs of disability.

Because of a combination of autism, ADHD, structural exclusion, and unpaid work, the man cannot fully secure his own subsistence.

This situation should first raise a public question:

> What support, disability accommodation, and working conditions would be necessary for this person to exist and participate?

Instead, a private question is asked:

> What means does the woman possess?

The perspective thereby shifts.

Disability no longer appears as a barrier to participation for which society bears shared responsibility.

It appears as a financial problem of the relationship.

The state does not have to create an appropriate work structure.

It does not have to recognise the artistic and scientific work.

It does not have to bear the consequences of neurodivergent exclusion in full.

It can point to the woman's income.

The partner thereby becomes the informal cost bearer of an inadequate disability and social-benefit system.

Her own disability does not protect her from this function.

On the contrary: despite her own limitations, she is expected to compensate for deficits in state support.

17.4 Two Subjects of Protection Are Offset Against One Another

Both adults should, because of their disabilities, be treated as independent subjects of protection.

The man requires support, subsistence security, and disability-appropriate participation.

The woman requires protection of her limited capacity for employment, her health, and her economic independence.

The Bedarfsgemeinschaft does not bring these two claims to protection together.

It offsets them against one another.

The man's protection is reduced because the woman earns income.

The woman's protection is reduced because the man has need.

One disability becomes the reason to place a greater burden on the other person.

A perverse reversal thereby arises.

The greater the man's need for support, the greater the woman's burden.

The more the woman works, the more strongly the state can reduce its own payment.

The more strongly both protect one another, the more the system can treat their mutual care as an existing resource.

Their individual claims to protection do not accumulate.

They neutralise one another.

17.5 Subsidiarity as a Formula of Relief

The fiction of family responsibility is often justified through a subsidiary order.

Individual and family resources are to be used first. Only afterwards does the state intervene.

At first glance, this logic appears plausible.

But it presupposes that the private sphere is actually capable of bearing the burden.

In the case examined here, it is not.

The woman is herself disabled.

Her work is precarious.

Her reserves are limited.

Her health is endangered.

The man cannot compensate for the resulting burden.

The child requires stability.

The private sphere is therefore not a strong protective space upon which the state could draw in a supplementary way.

It is already vulnerable.

If subsidiarity is nevertheless applied, it does not mean help towards self-help.

It means the consumption of the last remaining resources.

The state does not wait until private solidarity voluntarily bears the burden.

It imputes it in advance.

It treats possible care as though it were already permanently available.

It then withdraws public support.

Private solidarity is therefore not supplemented.

It is exploited.

17.6 The Moral Reversal

The construction produces a moral reversal.

In principle, the state should have to explain why it does not fully bear the costs of disability.

Instead, those affected have to explain why they do not support one another more.

The woman must justify why her income should serve her own security.

The man must justify why he cannot avoid relying on the woman's support.

Both must explain why their relationship does not create unlimited financial liability.

The institution that reduces its duty of protection appears as the moral authority.

The people whose resources are being consumed appear as potentially insufficiently solidaristic.

The burden of justification is thereby shifted.

The state does not have to prove that its shifting of costs is reasonable.

Those affected have to prove that their limits are real.

17.7 Love as Presumed Wealth

The Bedarfsgemeinschaft treats love like wealth.

Not as wealth in the technical legal sense, but as an expected capacity to absorb state-produced scarcity.

The state assumes that the woman will not abandon the man.

This expectation makes it possible to reduce benefits without the full harm becoming immediately visible.

Love functions as a buffer.

It bridges underprovision.

It prevents immediate collapse.

It keeps the household functioning.

It allows an inadequate system to function longer than it could without private care.

Precisely for this reason, it becomes fiscally valuable.

The relationship absorbs the costs.

The woman becomes poorer.

The man experiences guilt.

The state saves money.

The fiction of family responsibility therefore does not consist merely in incorrectly assessing an actual responsibility.

It consists in treating the moral bond between people as a durable economic resource.

17.8 The State Does Not Reward Responsibility; It Consumes It

Politically, it is often claimed that family and partnership should be strengthened.

In the model examined here, the opposite happens.

The more responsibility the woman actually assumes, the easier it becomes for the state to reduce its own contribution.

The more strongly the relationship carries the burden, the more burden is placed upon it.

The longer both prevent collapse, the less visible the system's violence becomes.

Responsibility is therefore neither protected nor rewarded.

It is consumed.

The woman receives no additional protection for supporting the man.

She loses economic security.

The man gains no greater autonomy.

He becomes more deeply privately dependent.

The child gains no more stable household.

It experiences increasingly exhausted parents.

The system uses responsibility until responsibility itself is damaged.

17.9 The Expropriation of Private Future

Reserves are not merely money.

They are stored future.

They make possible:

- repairs,
- periods of illness,

- occupational transitions,
- artistic projects,
- recovery,
- therapy,
- mobility,
- and protection against the next unforeseen event.

If these reserves are used to cover ongoing underprovision, it is not only current income that is redistributed.

Future is withdrawn.

The woman loses the possibility of securing her own employment over the long term.

She loses room for action.

She loses the ability to absorb risks.

She loses time in which art could be created.

The fiction of family responsibility therefore reaches beyond present need.

It expropriates private future in favour of present state cost reduction.

17.10 The Artificial Commonality of Scarcity

The Bedarfsgemeinschaft creates a calculated commonality.

This commonality, however, is not accompanied by additional shared rights or protections.

The partners are calculated into poverty together.

But they do not thereby automatically receive:

- marital maintenance rights,
- property-law protection,
- inheritance protection,
- shared social-insurance entitlements,
- or reliable public recognition of their individual limits.

The state therefore takes only that side of a maintenance community that reduces its expenditure.

It creates obligations without corresponding rights.

The relationship is economically collectivised while its legal autonomy remains incomplete.

This is not full equivalence with marriage.

It is a selective structure of access.

17.11 The Family as the Welfare State's Shadow Budget

Under the fiction of family responsibility, the private relationship becomes a shadow budget of the welfare state.

Costs that are not publicly borne appear there as:

- additional work,
- private payments,
- debt,
- deprivation,
- unpaid care work,
- health-related self-overburdening,
- and destroyed time.

These costs do not appear fully in the state balance sheet.

Benefit expenditure falls.

The consequences are recorded in the bodies and biographies of those affected.

The woman pays with reserves and health.

The man pays with guilt, dependency, and psychological destruction.

The child pays with instability.

Art pays with lost production time.

The relationship pays with conflict and overload.

The public budget saves.

The private shadow budget absorbs the difference.

17.12 The Gendered Dimension

The fiction of family responsibility also has a gendered dimension.

Its concrete form can vary. In the case examined here, the attributed private responsibility falls on a woman who already works, carries care responsibilities, is disabled, and can maintain her own capacity for employment only under limited conditions.

Her care is presumed to be available.

Her limits are treated as secondary.

Her unpaid work within the relationship and family remains largely invisible.

Her income is visible.

The social-law construction thereby repeats a familiar pattern:

The woman's material contribution is recorded.

Her care work is presumed.

Her health costs are privatised.

Her self-sacrifice appears as a natural consequence of partnership.

State cost reduction thereby relies on a gender-coded expectation of care.

The fact that the woman is also a recognised artist intensifies this contradiction.

Her work may appear publicly as autonomous.

Her life is privately pushed back into the role of provider.

17.13 Responsibility Without Limit Becomes Violence

Responsibility is not unlimited.

It ends where a person would have to destroy themselves in order to fulfil it.

A moral or legal order that requires one disabled person to finance a second disabled person to the point of becoming ill herself confuses responsibility with self-abandonment.

It equates care with availability.

It equates proximity with ability to pay.

It equates love with capacity for burden.

It equates shared life with unlimited liability.

These equations are false.

Where the state nevertheless maintains them, responsibility becomes a concept of violence.

The woman is expected to act responsibly by endangering herself.

The man is expected to act responsibly by leaving his family or producing an impossible capacity for employment.

Both are expected to assume responsibility by fighting out the consequences of state omission against one another.

17.14 The Fiction Conceals the Origin of Poverty

The fiction of family responsibility also conceals where the poverty comes from.

The man's poverty did not arise primarily because the woman did too little for him.

It arose within a relation of:

- disability,
- exclusion,

- failure to adapt the labour market,
- non-recognition of neurodivergent modes of work,
- inadequate support,
- and decades of non-remuneration of cultural and scientific labour.

By shifting the solution into the relationship, the state does not have to address these causes.

The partner becomes the answer to a structural problem.

Her overload conceals the failure of public institutions.

The Bedarfsgemeinschaft thereby functions like a political short circuit:

> Where the state has failed to create accessible participation, it declares private proximity to be the substitute.

17.15 The Responsibility of the State

The concept of responsibility must therefore be reversed.

Those affected are not the only ones who bear responsibility.

The state bears responsibility for:

- the consequences of its laws,
- the accessibility of the labour market,
- the protection of disabled people,
- the prevention of impoverishment,
- the securing of real participation,
- the protection of family relationships,
- and the correction of a measure once it becomes recognisably destructive.

In the case examined here, the question therefore cannot be:

> Why does the woman not assume sufficient responsibility for the man?

It must be:

> Why does the state transfer its responsibility for a disabled person onto a second disabled person?

And further:

> Why does it describe this transfer as solidarity even though it harms both people?

17.16 The Fiction of Family Responsibility as a Legitimation of Violence

Finally, the fiction performs a legitimating function.

Without it, state action would have to be described differently:

> The state withdraws individual subsistence support from a disabled person and forces his also-disabled partner to close the gap from her limited employment income.

This description makes the violence visible.

The language of family responsibility changes the picture:

> Two closely connected people provide for one another.

The coercion disappears.

The asymmetry of power disappears.

The disabilities disappear.

The cost reduction disappears.

The harm disappears.

What remains is a morally positive concept.

This is precisely the ideological achievement of the fiction.

It transforms:

- withdrawal into responsibility,
- coercion into solidarity,
- dependency into community,
- cost shifting into care,
- and state retreat into private morality.

17.17 From Welfare State to Familial Disciplinary State

Where private bonds are systematically used to enforce state activation goals, the function of the family changes.

It is no longer only a protected space.

It becomes a disciplinary space.

The woman is to be moved to pay through the man's need.

The man is to be moved towards economic adaptation through the woman's burden.

The child may additionally stabilise the shared household while simultaneously increasing the costs of separation.

The family thereby becomes an architecture of mutual pressure.

The state does not need to control each person directly.

It sets conditions under which those involved begin to control themselves and one another:

- Can this expense still be afforded?

- Is the woman working enough?
- Is the man burdening her too much?
- Does he have to move out?
- Does she have to exceed her limits?
- Is the relationship still financially possible?

External coercion is shifted into the family.

The family begins to enact state discipline within its own everyday life.

17.18 The Actual Perversion

The perversion does not lie in people caring for one another.

Care is a central human practice.

The perversion lies in the state forcing this care, economically exploiting it, and then using it as a justification for reducing its own duty of protection.

Voluntary solidarity becomes a presumed obligation.

Proximity becomes a fiscal resource.

The relationship is punished because it holds.

The woman becomes poorer because she does not abandon the man.

The man is psychologically destroyed because he sees what his existence costs her.

The child loses security because the family stays together.

The state calls this responsibility.

In reality, it is the privatisation of public failure.

The fiction of family responsibility is therefore not merely an inaccurate legal assumption.

It is a mechanism for legitimising violence.

It allows the state to offset two disabled people against one another and make the resulting destruction appear as a natural consequence of their relationship.

18. The Production of Incapacity for Work

The Bürgergeld system justifies its interventions with the aim of overcoming benefit dependency and bringing people into paid employment.

In the case examined here, the opposite occurs.

The state arrangement neither promotes the man's capacity for employment nor protects the woman's already existing capacity for employment. It consumes the functional capacity of both persons and thereby increases precisely the dependency that it supposedly seeks to end.

This is more than a political failure.

It is a causal reversal.

The system treats incapacity for work as the initial problem and applies pressure as the solution.

The pressure itself, however, becomes a cause of further incapacity for work.

18.1 Capacity for Employment Is Not an Unchanging Possession

Social-law and political activation models often treat capacity for employment as though it were a characteristic that a person either possesses or does not possess.

A person is regarded as fundamentally capable of employment. From this, it is inferred that they can be brought into employment through motivation, placement, obligation, or pressure.

Actual capacity for employment, however, is not a static possession.

It arises from a relationship between person and environment.

It depends, among other things, on:

- health,
- capacity for strain,
- predictability,
- working conditions,
- mobility,
- regeneration time,
- social security,
- executive functioning,
- available support,
- and the fit between activity and neurological profile.

A person can be highly capable under suitable conditions and largely unable to act under unsuitable ones.

Especially in autism and ADHD, this context-dependence is central.

The question is therefore not only:

> Can this person work in principle?

It is:

> Under what conditions can this concrete person use their abilities sustainably and without destroying their health?

The system examined here does not ask this question.

It assumes that pressure merely has to mobilise an already existing capacity.

18.2 The Woman's Capacity to Work as a Fragile Equilibrium

The woman is not unemployed.

She works.

Her employment already contradicts the assumption that she lacks personal responsibility, willingness to work, or social integration.

But her capacity to work depends on conditions.

She does not work despite unlimited resilience, but within a disability-related limited capacity for strain.

For her employment to be maintained, she requires:

- limits on working time,
- sufficient recovery,
- economic predictability,
- mobility,
- reserves for repairs and interruptions,
- access to healthcare,
- and protection from additional chronic overload.

These conditions are not private luxuries.

They are production conditions of her capacity to work.

The Bedarfsgemeinschaft, however, treats them as expendable reserves.

Income is imputed.

Reserves are consumed or cannot be built.

Unforeseen costs become threats to existence.

Concern for the man increases psychological strain.

Her own regeneration has to give way to acute need.

The state therefore does not intervene in her capacity to work only once she loses her job.

It intervenes in the conditions that prevent her from losing it.

18.3 Preservation Is Mistaken for Availability

The system sees existing income and infers existing capacity.

But existing capacity does not mean unlimited availability.

A person may be able to perform a certain amount of work precisely because they limit their burden.

If this limitation is misread as unused reserve, a dangerous miscalculation arises.

The woman works part-time.

From this, a political or administrative question may arise:

> Could she not work more?

The decisive question, however, would be:

> What makes it possible for her to work even to this extent?

If the existing workload can only be maintained because she carefully regulates energy, sensory load, anxiety, and regeneration, an additional burden is not a neutral increase.

It can destroy the entire equilibrium.

The system treats the limit as room for manoeuvre.

It treats compensation as performance reserve.

It treats barely functioning self-regulation as evidence of further reasonableness.

It thereby draws on resources that are not free.

They are already required to maintain the existing state.

18.4 The State Consumes Future Capacity to Work

When reserves, regeneration, and health-related resources are used to close a present supply gap, it may initially appear that the system is functioning.

The man receives support.

The bills are paid.

The woman continues going to work.

Immediate collapse is avoided.

But this state is purchased through the consumption of future capacity to work.

The woman pays today with resources she will need tomorrow.

She uses:

- financial reserves,
- physical reserves,
- psychological resilience,
- recovery time,
- concentration,

- and the stability of her routines.

The arrangement therefore works like a loan taken out against her health.

The state saves in the present benefit budget.

Repayment occurs later in the form of illness, reduced working hours, or complete loss of capacity for employment.

What appears fiscally as a saving is merely a temporal displacement of costs.

18.5 The Man Is Not Activated but Alarmed

In the man's case, the system relies on a similar false assumption.

The reduction of material security is supposed to move him towards economic independence.

But the pressure encounters autism, ADHD, long-term exclusion, and already existing overload.

It does not simply generate additional motivation.

Motivation is not the central problem.

The man has already worked intensively in art and research for decades.

The problem lies in the absence of a translation of this work into a market-compatible, subsistence-securing form of employment.

Additional pressure does not solve this translation problem.

Rather, it binds the resources that would be necessary to develop such a solution.

The man has to:

- examine administrative decisions,
- organise legal remedies,
- monitor the economic situation,
- absorb conflicts,
- observe the woman's burden,
- regulate existential fear,
- and process the loss of the private protected space.

His attention is not directed towards productive development.

It is bound up in danger management.

The state does not activate him.

It puts him into a state of alarm.

18.6 Chronic Alarm Prevents Complex Work

Artistic, scientific, and self-organised work requires more than time.

It requires cognitive depth.

It requires the ability to hold complex relationships over long periods.

It requires exploration, concentration, errors, detours, and phases of apparent lack of results.

Chronic existential stress destroys precisely these conditions.

The person no longer thinks long-term.

They think as far as the next payment.

The next administrative decision.

The next bill.

The next escalation.

The future shrinks.

Complex work is replaced by permanent crisis management.

Especially in autistic research or artistic work, this can be particularly destructive. A special interest can enable exceptional duration, concentration, and knowledge formation. But it cannot be called up arbitrarily between states of alarm.

If the necessary Eigenzeit is constantly interrupted, the person loses not only productivity.

They lose access to the very form of work in which their abilities become effective at all.

18.7 A Special Interest Is Not an Unused Hobby

The system may treat the man's work as a privately chosen activity because it does not generate sufficient income.

This misrecognises its actual character.

For an autistic person, a special interest can fulfil several functions at once:

- occupational specialisation,
- knowledge production,
- self-organisation,
- emotional regulation,
- identity stability,
- social contribution,
- and long-term development of competence.

The separation between work and special interest is therefore often artificial.

The special interest may be precisely the place where the highest intensity of work and the highest level of ability coincide.

The concept of monotropism describes autistic attention as strongly concentrated on a small number of intensely bound interest systems. This can produce exceptional depth, persistence, and competence, but also high costs from interruptions, forced task-switching, and permanent fragmentation of attention (Murray, Lesser & Lawson 2005). From this perspective, a special interest is not necessarily an addition to the "real" work. It can be the central organisational form of learning, performance, self-regulation, and long-term knowledge production.

Its lack of economic marketability does not mean that no work is taking place.

It means that the market, cultural funding, and social security fail to translate this work into a sustainable existence.

If the person is forced to abandon this context in favour of arbitrary employment demands, they may lose not only an activity.

They may lose the basis of their functional capacity.

18.8 The Destruction of Eigenzeit

Neurodivergent capacity for work has its own temporal structure.

It does not necessarily follow the even, externally imposed rhythm of standardised employment.

Periods of intense concentration can alternate with periods of necessary regeneration.

Productivity can be high without being arbitrarily available.

Transitions, interruptions, and shifting demands can produce disproportionately high costs.

This Eigenzeit is not an expression of lack of discipline.

It is a functional condition of neurodivergent performance.

The Bürgergeld system, however, intervenes precisely in this time.

It produces:

- short-term deadlines,
- unpredictable demands,
- bureaucratic interruptions,
- economic states of alarm,
- and permanent availability to the authority.

The person's time is not fully used for employment integration.

It is occupied by the administration of unemployment.

The affected person works on applications, evidence, justifications, and legal remedies.

This work is unpaid.

At the same time, it displaces the work that could generate social or economic value.

18.9 Administration Produces Executive Load

For people with ADHD and autism, the form of administration itself is highly significant.

A procedure can appear simple in content and still produce high executive costs.

It requires:

- monitoring deadlines,
- sorting documents,
- prioritisation,
- flexible reaction,
- communication with changing offices,
- dealing with unclear letters,
- emotionally stressful telephone calls,
- and translating complex lived reality into standardised forms.

Each individual task may appear manageable.

Their accumulation can consume the entire available executive capacity.

In addition, mistakes can have existential consequences.

This loads every task with fear.

The person does not merely have to complete a form.

They have to prevent money from being missing because of an error.

The state calls this cooperation.

For the affected person, it can amount to full-time work under permanent threat of sanction.

18.10 Paradoxical Activation

A fundamental paradox thereby arises.

The man is expected to direct his energy towards economic independence.

The system, however, forces him to use a large part of that energy to defend his existence against the system.

The woman is expected to preserve her employment.

The system, however, withdraws the reserves and possibilities for regeneration that preserve that employment.

Both are expected to become more independent.

Both become more dependent.

The man is made dependent on the woman's income.

The woman is made dependent on the stability of a precariously balanced everyday life.

The family becomes dependent on every month passing without disruption.

The state continues to call the process activation.

Operationally, it produces fragility.

18.11 From Limited Capacity for Employment to Complete Incapacity for Work

The decisive danger does not lie only in short-term overload.

The danger lies in permanent loss of function.

For the woman, the development may proceed as follows:

1. She works within her limit of strain.
2. Additional financial responsibility reduces reserves and regeneration.
3. Unforeseen burdens can no longer be absorbed.
4. Fear and overwork increase.
5. Working hours have to be reduced.
6. Income falls.
7. Economic insecurity increases further.
8. Health-related strain intensifies.
9. Employment collapses completely.
10. The woman herself becomes dependent on benefits.

For the man, the spiral runs in parallel:

1. He already has limited market-compatible capacity for employment.
2. Pressure is intended to increase this capacity.
3. Existential fear and guilt, however, increase neurodivergent overload.
4. Concentration and executive control decline.
5. Artistic and scientific work becomes more difficult.
6. Capacity for legal defence and application-making deteriorates.
7. Dependency increases.
8. Pressure continues.
9. Autistic burnout or long-term decompensation become more likely.
10. The possibility of economic independence recedes further.

The system thus moves both persons in the same direction.

It produces a double downward spiral.

18.12 A Second Benefit Case Is Produced

At the beginning, the woman was not receiving benefits herself.

She worked and maintained her economic independence under difficult conditions.

The Bedarfsgemeinschaft uses precisely this remaining independence to reduce state benefits for the man.

But this burdens her so heavily that she herself is pushed towards benefit dependency.

This is fiscally and socially absurd.

The state saves on one person in the short term and thereby risks having to provide benefits for two people in the long term.

But the absurdity is not only economic.

It is ethical.

The woman is not led out of benefit dependency.

She is drawn into it.

Not because she lacks willingness to work.

But because her existing work is used as a resource against her.

18.13 Activation as the Production of Illness

Where pressure demonstrably reduces health and capacity for work, it is no longer possible to speak neutrally of activation.

The measure produces illness.

It does not necessarily produce it as a medically isolable single cause.

It operates within a complex nexus of:

- disability,
- poverty,
- fear,
- overwork,
- sleep deprivation,
- lack of regeneration,
- bureaucratic stress,
- relationship conflicts,
- and permanent existential insecurity.

Precisely this complexity enables institutional exoneration.

The authority can state that the illness has multiple causes.

That is probably correct.

But it does not follow that the state arrangement is not one of those causes.

Institutional violence often does not operate monocausally.

It intensifies existing vulnerabilities until a system tips.

The question is therefore not:

> Did the Jobcenter alone cause this illness?

It is:

> Did the state arrangement foreseeably contribute to a burden that substantially worsened health and capacity for work?

18.14 Producing What Is Then Sanctioned

The system sanctions or problematises insufficient labour-market integration.

At the same time, it produces conditions that make such integration more difficult.

It demands:

- concentration,
- self-organisation,
- mobility,
- reliability,
- resilience,
- future planning,
- and emotional stability.

It produces:

- fear,
- executive overload,
- absent reserves,
- mobility risks,
- sleep disturbances,
- relationship stress,
- and chronic insecurity.

It thereby punishes consequences whose production it has itself contributed to.

The more capacity for employment declines, the more the person appears to require integration.

The more they appear to require integration, the more interventions are legitimised.

The system produces the deficit that justifies its own intervention.

18.15 Recursive Violence

This mechanism can be described as recursive violence.

The measure produces harm.

The harm reduces capacity for action.

The reduced capacity for action prevents fulfilment of the state demand.

Non-fulfilment legitimises further pressure.

Further pressure produces further harm.

The loop is:

> Pressure → decompensation → reduced capacity for employment → greater dependency → further pressure.

The system does not respond to its own failure with correction.

It responds with intensification.

Precisely through this, the violence acquires its self-reinforcing structure.

18.16 Neurodivergence Misread as Resistance

When a neurodivergent person does not respond to pressure with the expected behavioural change, this can be read as resistance, unwillingness, or insufficient cooperation.

In reality, it may be loss of function.

The person is not necessarily refusing.

They may no longer be able to act.

They are not unmotivated.

They are overloaded.

They are not ignoring the demands.

Their nervous system may no longer be able to organise them.

This distinction is central.

A system that interprets overload as resistance responds with more pressure to a situation that would require less pressure.

It treats collapse as disobedience.

It thereby intensifies it.

18.17 The Destruction of Competence

Both adults possess substantial competencies.

The woman possesses artistic, occupational, and practical life skills.

The man possesses artistic and scientific competencies developed over decades.

The problem is not the complete absence of performance.

The problem is that this performance is not reliably translated into subsistence-securing income.

An intelligent support system would therefore ask:

- How can existing competencies be protected?
- Which working conditions make their use possible?
- How can artistic and scientific activities be economically stabilised?
- Which disability-related barriers must be compensated for?
- How can the woman's existing part-time work be secured over the long term?

The system examined here asks different questions:

- Which income can be imputed?
- Which private responsibility can be presumed?
- Which benefit can be reduced?
- Which additional cooperation can be demanded?

It therefore does not develop competence.

It consumes it.

18.18 Capacity to Work as a Common Good

Capacity to work is often politically treated as a private resource.

The person possesses it and is expected to use it in the labour market.

In reality, capacity to work is socially produced.

It depends on:

- healthcare,
- education,
- infrastructure,
- social security,
- housing conditions,
- accessible workplaces,
- protection against discrimination,
- and reliable relationships.

When the state damages these conditions, it does not merely destroy an individual asset.

It destroys a social good.

In the present case, this concerns two people whose work has already produced cultural and scientific value.

The production of incapacity for work therefore destroys not only income.

It destroys future art, research, care work, tax revenue, and social participation.

18.19 The Wrong Measure of Success

The system can measure its short-term success by whether state expenditure has been reduced.

From this perspective, the Bedarfsgemeinschaft appears functional.

The man receives less individual support.

Part of his need is calculated as covered by the woman's income.

But this measure of success does not capture:

- the loss of her reserves,
- the deterioration of her health,
- the endangerment of her job,
- the man's decompensation,
- the destabilisation of the child,
- the damage to the relationship,
- or the destruction of artistic and scientific production.

The state balance sheet counts the payment saved.

It does not fully count what was destroyed in order to save it.

A system can therefore be fiscally successful and socially catastrophic.

18.20 The Welfare State as Producer of Its Own Cases

At the end of this development stands a paradoxical institution.

It is supposed to reduce benefit dependency.

It produces new benefit dependency.

It is supposed to promote capacity for employment.

It destroys existing capacity for employment.

It is supposed to strengthen personal responsibility.

It creates private dependency.

It is supposed to stabilise families.

It turns relationships into economic hazards.

It is supposed to enable participation.

It consumes the conditions of participation.

The welfare state thereby becomes the producer of the very cases it subsequently administers.

18.21 The Refutation of the Activation Model

The documented case therefore has significance beyond the individual case.

It does not necessarily refute every form of state employment support.

It does, however, refute the assumption that more pressure fundamentally produces greater capacity for employment.

Under conditions of disability and neurodivergence, the opposite may apply:

> The greater the pressure, the lower the functional capacity.
>
> The greater the shifting of private burdens, the more likely the loss of existing work.
>
> The greater the existential fear, the lower the capacity for complex, sustainable occupational development.

The activation model fails where it ignores context, neurology, and limits of strain.

It does not fail only theoretically.

It produces the empirical counterevidence in the bodies of those affected.

18.22 The Actual Balance

The state objective was:

> Achieve economic independence.

The actual balance is:

- The man's economic independence was not achieved.
- The woman's economic independence was endangered.
- The health of both adults was burdened.
- Family stability was reduced.
- The child was exposed to an increasingly alarmed living environment.
- Artistic and scientific work was made more difficult.
- The probability of double benefit dependency increased.

The system did not merely fail to reach its goal.

It transformed itself into its opposite.

18.23 From Inefficiency to Violence

An inefficient system fails to achieve its goal.

A violent system destroys the people whose behaviour it seeks to control.

In the present case, the decisive crossing of the boundary lies in the continuation of the measure despite the production of opposite effects.

Capacity to work declines.

The pressure remains.

Health deteriorates.

The pressure remains.

A second person is pushed into benefit dependency.

The pressure remains.

The situation can therefore no longer be described merely as poorly designed labour-market policy.

It becomes the state production of incapacity for work.

> The state demands capacity for employment and destroys its conditions.
>
> It fights dependency by deepening it.
>
> It demands independence and makes two people dependent on one another.

This is not a failure at the margins of the system.

It is the point at which its internal logic becomes visible.

19. The Political Economy of Unpaid Art

The case examined here does not begin only with the Jobcenter's decision.

The Bedarfsgemeinschaft encounters a poverty that had already been socially produced long before.

Both adults have produced art, research, and cultural work over decades. This work generated public value, recognition, knowledge, images, texts, films, and cultural memory. It did not, however, generate a permanently sufficient income.

The state encounters this constellation in a contradictory way.

It can recognise the works.

It can exhibit them.

It can archive them.

It can represent them publicly.

It can treat them as part of cultural diversity and democratic self-description.

But the lifetime from which these works emerge is not protected to the same degree.

The art is considered valuable.

The labour of the artists is considered economically insufficient.

The works are allowed to remain.

The producers are disciplined.

19.1 Art Is Work, Even When It Is Not Paid

The capitalist organisation of labour distinguishes between socially valuable activity and market-remunerated activity.

These categories do not coincide.

The economy of art is characterised by a striking combination of high labour intensity, symbolic recognition, a large supply of labour, and frequently very low incomes. Abbing shows that the idea of art as a special vocation rather than a fully economic activity contributes to normalising low or absent payment even though artistic production consumes substantial time, qualification, and material resources (Abbing 2002). The poverty of artists therefore does not prove the absence of work, but may arise precisely from the particular social organisation and valuation of that work.

An activity can possess substantial cultural, scientific, or social value and nevertheless generate almost no income.

Conversely, an activity can generate high income without producing comparable public value.

Within the social-benefit system, this difference is largely flattened.

The primary question is not:

> What work was performed?

The decisive question is:

> What assessable income was generated?

The man's decades of work in art and research therefore appears in social law primarily as insufficient integration into paid employment.

The woman's artistic work is recognised insofar as it generates income or publicly visible works. The time, insecurity, unpaid preparation, research, and regeneration necessary for it are not protected as independent conditions of production.

This logic narrows work to market success.

What the market does not sufficiently pay for appears as a private choice.

What is publicly exhibited can nevertheless possess cultural value.

The contradiction is not resolved.

It is attributed to the artists.

19.2 The State Receives the Value, but Not the Bill

Works of art do not arise without cost.

Even where no invoice is issued or paid, costs have been incurred.

Artists invest:

- lifetime,
- education,
- material,
- studios,
- technology,
- mobility,
- research,
- psychological energy,
- unpaid application work,
- administrative work,
- and long periods without secure income.

If these costs are not institutionally borne, they do not disappear.

They are privatised.

The artists bear them themselves.

They live precariously.

They incur debt.

They forgo reserves.

They take side jobs.

They reduce spending on health.

They depend on private relationships or social benefits.

The public sphere can nevertheless benefit from the works that emerge.

In the case examined here, this asymmetry becomes particularly visible.

The woman's art hangs in the state parliament.

The work is therefore good enough to form part of state representation.

The artist's economic existence, however, is not sufficiently protected to allow her to build reserves and preserve her limited capacity to work.

The state receives cultural value.

The costs of its production remain with the artist.

19.3 Symbolic Recognition Replaces Material Recognition

Art institutions often operate through symbolic forms of appreciation.

An exhibition.

A prize.

An invitation.

A catalogue.

A public mention.

Inclusion in a collection.

These forms can be meaningful for artists. They do not, however, replace lasting material security.

Symbolic capital can create visibility.

It does not automatically pay for:

- rent,
- health insurance,
- repairs,
- old-age provision,
- regeneration time,
- assistance,
- therapy,
- or the next production of work.

The political and cultural order can therefore claim simultaneously:

> This artist belongs to the relevant art scene.

And:

> Her income can be used to support another person because a state fiction of mutual responsibility provides for this.

Recognition of the work does not change the material treatment of the person.

On the contrary: the ability to continue producing despite precarious conditions can make the precarity less visible.

The work proves that the artist functions.

It does not show what this functioning costs.

19.4 The Romantic Exploitation of Artistic Work

Artistic work is often de-economised socially through a romantic narrative.

Art appears as vocation.

As passion.

As inner necessity.

As self-realisation.

Especially for neurodivergent artists, it can be closely connected to special interests, identity, and the organisation of life.

This proximity between work and inner drive, however, can easily be used against the producers.

Anyone who does something out of passion appears to have less claim to payment.

Anyone who cannot stop doing it anyway seems not to require motivation.

Anyone who practices art as a form of life appears not as a worker, but as someone following a private inclination.

Highest labour intensity is thereby translated into economic invisibility.

Society receives the result.

The activity nevertheless does not count as fully serious paid work.

Vocation becomes the justification for non-remuneration.

Gill and Pratt describe cultural labour as a field in which passion, self-realisation, flexible project work, and precarious employment are closely intertwined. Precisely because the person strongly identifies with their work, insecurity, unpaid additional labour, and the shifting of economic risks onto producers can appear as natural accompaniments of creative freedom (Gill & Pratt 2008). The subjective significance of the work therefore does not protect against exploitation. It can become one of its preconditions.

19.5 Neurodivergent Work and Market Incompatibility

For neurodivergent people, artistic or scientific work may be more than an occupational preference.

It can be the form in which their abilities become most effective at all.

Autistic special interests often enable:

- exceptional concentration,
- long-term knowledge formation,
- high attention to detail,
- systematic depth,
- independent theory formation,

- and production sustained over years or decades.

ADHD can be associated with:

- intense phases of hyperfocus,
- unusual connections,
- high creative energy,
- and nonlinear work processes.

These abilities are real.

They are not automatically market-compatible.

The market often demands:

- continuous self-marketing,
- social networking,
- flexible acceptance of commissions,
- administrative reliability,
- predictable productivity,
- rapid changes of topic,
- and the ability constantly to translate creative work into saleable formats.

Precisely here, neurodivergent barriers may arise.

The problem is therefore not lack of productivity.

It is the lack of fit between actual productivity and the structure of economic utilisation.

The social-benefit system does not treat this difference as a barrier to participation.

It treats it as insufficient economic independence.

19.6 The Market Does Not Measure Social Value

The fact that artistic work does not generate sufficient income does not prove that it lacks social value.

It proves only that under existing market and funding conditions it has not been sufficiently monetised.

This difference is central.

The market evaluates:

- purchasing power,
- demand,
- access to networks,
- visibility,
- institutional proximity,
- bargaining power,

- trends,
- and usability.

Artistic labour markets are also characterised by project-based employment, uncertain demand, strong income inequalities, a persistent oversupply of labour, and the privatisation of occupational risks (Menger 2006). Artistic success therefore does not result from quality or labour effort alone. It depends substantially on contingencies, institutional access, networks, visibility, and the ability to bridge long periods of economic insecurity. Under such conditions, lack of income cannot directly be interpreted as lack of performance or lack of social value.

The market does not neutrally evaluate:

- depth of knowledge,
- long-term cultural impact,
- social necessity,
- political relevance,
- aesthetic innovation,
- or the significance of a life work.

A welfare state that equates market remuneration with social contribution therefore imports the exclusions of the market into its own moral order.

Anyone who does not earn sufficient income appears insufficiently productive.

Even where decades of work exist.

19.7 The Subsequent Punishment of Non-Remuneration

The first violence lies in non-remuneration.

The second violence lies in treating the poverty resulting from it as an individual deficit.

The third violence lies in privatising this poverty within a relationship.

The sequence is:

1. Artistic and scientific work is not adequately paid over decades.
2. The producers therefore live precariously or become dependent on benefits.
3. The social-benefit system does not recognise the work as sufficient economic performance.
4. It demands adaptation to other forms of work.
5. It imputes the partner's income.
6. It makes both privately responsible for the resulting poverty.

Society therefore first benefits from free or underpaid work.

It then disciplines the people because that work could not feed them.

This is not merely an inconsistency.

It is a mechanism of double exploitation.

19.8 The Bedarfsgemeinschaft as a Second Expropriation

The first expropriation concerns unpaid work.

The second concerns the remaining material resources.

The woman earns income from art and part-time work.

This income is the result of her labour.

It should secure her own economic stability, health, and further production.

Through the Bedarfsgemeinschaft, however, it is partly treated as a substitute for state subsistence support.

This does not merely redistribute a present amount of money.

It reaches again into her work.

First, society receives a substantial part of her artistic production without adequate payment.

Then the state treats the limited income she nevertheless earns as an available resource for a second person.

The artist therefore pays several times:

- through unpaid work,
- through precarious side work,
- through missing reserves,
- through private support burdens,
- and through the endangerment of her health.

19.9 The Artist as an Economic Non-Entity

The man works forty hours per week on art and research.

In his own lived reality, he is a worker.

Within the cultural sphere, he is an author, artist, filmmaker, and researcher.

Within social-law calculation, however, he appears primarily as a person without sufficient earned income.

An institutional split thereby emerges.

The working person exists culturally.

Economically, his work is regarded as insufficient.

The state recognises the work, but not the relationship between work and life from which it emerges.

It sees the result.

It does not see the production time.

It sees publications, films, and research.

It sees no subsistence-securing employment.

The artist is therefore not simply described as unemployed.

His actual work is institutionally derealised.

19.10 The Destruction of the Work Through Activation

When the system demands that the man direct more of his time towards marketable paid employment, it treats the existing work as expendable.

But this demand is not neutral.

Time is limited.

Energy is limited.

Neurodivergent capacity for strain is limited.

If these resources are used for:

- applications,
- arbitrary measures,
- administrative demands,
- precarious side jobs,
- and permanent legal defence,

they are unavailable for art and research.

Activation policy can therefore destroy cultural production without ever uttering an explicit act of censorship.

It does not prohibit the work.

It withdraws its time.

It destroys its concentration.

It makes its continuation economically and physically impossible.

The result is an indirect cultural erasure.

19.11 Art as a Stabilising Structure of Life

For both affected persons, art is not only a product.

It is a life context.

It structures time.

It enables identity.

It produces social meaning.

It creates knowledge.

It connects individual experience with public form.

Especially under conditions of neurodivergence, this structure can have a stabilising effect.

If it is destroyed, not only potential income is lost.

A central mode of psychological and cognitive self-organisation is lost.

The activation model does not treat this loss as harm.

It may even understand it as a necessary transition towards "real work."

It thereby fails to recognise that it may be destroying precisely the existing capacity to work.

19.12 Cultural Funding and Social Discipline

The state encounters artists in different roles.

As a cultural state, it can:

- fund,
- exhibit,
- collect,
- archive,
- award,
- and represent.

As a welfare state, it can:

- assess,
- impute,
- demand,
- control,
- reduce,
- and presume private responsibilities to provide.

These two roles are institutionally separated.

Precisely for this reason, the same state can honour a work while simultaneously endangering the existence of its creator.

The cultural institution sees the artist.

The Jobcenter sees income.

The state parliament sees a picture.

Social law sees a resource.

The separation of jurisdictions conceals the unity of the process.

For the artist, it is not an abstract coexistence of institutions that acts.

It is the same political community.

19.13 Art as State Self-Representation

When art hangs in a parliament, it does not serve aesthetic enjoyment alone.

It contributes to the institution's self-representation.

The state presents itself as:

- cultural,
- open,
- democratic,
- plural,
- education-oriented,
- and connected to art.

The institution thereby symbolically appropriates qualities of the work.

It gains cultural capital.

The artist does not necessarily gain material security from this.

The contradiction becomes especially sharp when the same political order subsequently treats her precarious condition as a private financial resource.

> The state decorates its walls with the work of a woman whose economic stability it simultaneously consumes.

The art humanises the institution.

The institution does not protect the artist.

19.14 The Social Return of Unpaid Work

Unpaid art generates social returns that cannot be fully measured in money.

It produces:

- cultural identity,
- criticism,
- memory,
- aesthetic experience,
- political reflection,

- education,
- research,
- and future possibilities for continuation.

These returns are distributed socially.

The costs of production, by contrast, remain individualised.

This corresponds to a general pattern of precarious cultural work:

> The benefit is socialised. The risk is privatised.

Research in cultural economics and the sociology of work consistently shows that artistic labour is often characterised by strong intrinsic attachment, insecure remuneration, project-based employment, and a broad transfer of economic risks onto producers (Abbing 2002; Gill & Pratt 2008; Menger 2006). The case examined here intensifies this mechanism: the already privatised risk of cultural production is redistributed once again within the intimate relationship through the Bedarfsgemeinschaft.

In the case examined here, even this privatisation is intensified again.

The risk does not remain only with the individual artist.

It is transferred into the Bedarfsgemeinschaft and distributed between two disabled people.

19.15 The Invisible Subsidy of the State

When artists work for decades below subsistence-securing conditions, they effectively subsidise the cultural public sphere.

They provide work whose actual costs are not fully paid.

This subsidy appears in no cultural budget.

It is financed through:

- poverty,
- deprivation,
- side work,
- health,
- unpaid time,
- and private support.

The state can therefore appear culturally richer than it has actually paid for.

In the case examined here, the woman is then additionally used to subsidise the welfare state.

She subsidises:

1. culture through underpaid artistic work,
2. her own existence through part-time employment,

3. the man's subsistence support through income imputation,
4. and the stability of state-produced scarcity through her care.

This multiple subsidy remains institutionally invisible.

19.16 Class Relations in the Cultural Field

The possibility of producing art for decades without being able to live from it is unequally distributed.

People with wealth, inheritances, high-earning partners, or institutional networks can bridge precarious periods more easily.

People without these resources bear a greater risk.

The cultural field may appear meritocratic.

In reality, it also selects according to material capacity for survival.

Those without reserves can produce less freely.

Those who are disabled bear additional costs.

Those who are neurodivergent may encounter greater barriers in networking, self-marketing, and institutional adaptation.

The Bedarfsgemeinschaft intensifies this class structure.

It treats the partner's remaining means as a substitute for public protection and thereby reduces the possibility for both to continue their work.

19.17 The Gendered Economy of Art

In the field of art too, work, income, and care are distributed along gendered lines.

Women frequently additionally assume:

- care work,
- family organisation,
- emotional stabilisation,
- precarious side work,
- and the securing of shared living conditions.

In the case examined here, the artist is not only visible as the producer of a publicly recognised work.

She is simultaneously presumed to be the man's private provider.

Her autonomy as an artist exists alongside a social-law role produced for her as a financial buffer.

The state recognises her individual artistic achievement.

It nevertheless treats her economic existence as relationally available.

The old expectation of female care reappears in a modern social-law form.

19.18 Poverty as a Condition of Production and a Destructive Force

Precarity can form part of artistic biographies.

But it must not be romanticised.

Poverty does not automatically produce better art.

It can make experiences visible that remain hidden from privileged positions.

It can generate radical perspectives.

But it also destroys:

- time,
- material,
- health,
- concentration,
- spaces,
- relationships,
- and long-term development of work.

In the case examined here, poverty is not merely the context of the work.

It is intensified through state income imputation and used against the producers.

The artists are expected to continue generating social value while the conditions of their production collapse.

19.19 The Cultural Counter-Image to the Human Being as Human Capital

Labour-market policy often treats the person as human capital.

Their abilities are to be developed, activated, and economically utilised.

Artistic work partly contradicts this logic.

It can produce value without being immediately profitable.

It can be socially necessary without being demanded in market form.

It can have long-term effects.

It can evade unambiguous determination of purpose.

Precisely for this reason, it presents a challenge to a system that makes economic independence its primary measure.

The artist is not simply unused human capital.

They may already be fully active even though their activity is not profitable.

The system does not sufficiently recognise this possibility.

It interprets lack of profitability as lack of activation.

19.20 The Expropriation of Neurodivergent Eigenzeit

The time both invested in their works was not free leftover time.

It was working time.

It was also neurodivergent Eigenzeit.

A form of time in which concentration, perception, special interest, and individual rhythm come together.

This time is attacked repeatedly by poverty.

First, it has to be defended against side jobs.

Then against bureaucracy.

Then against existential fear.

Then against the economic conflicts of the Bedarfsgemeinschaft.

Finally, against the demand to surrender it entirely in favour of standardised employment.

The expropriation therefore does not concern only income.

It concerns control over one's own lifetime.

19.21 From Cultural Funding to Destruction of the Work

A state cannot credibly promote art if its social policy simultaneously destroys the living conditions of its producers.

Cultural funding that reaches only selected projects, institutions, or already successful positions cannot replace the broad precarious base of production.

In the case examined here, the problem becomes acute:

The work is already there.

It has already been recognised.

It already hangs in parliament.

Yet this recognition does not protect the producer from economic disintegration.

The state therefore does not reliably promote the emergence of art.

It administers its results and risks destroying its continuation.

19.22 Poverty Is Depoliticised

The Bedarfsgemeinschaft depoliticises the poverty of the two artists.

Instead of asking:

- Why is cultural work not adequately paid?
- Why are neurodivergent modes of work institutionally excluded?
- Why are suitable funding and employment models absent?
- Why does the state not adequately bear the costs of disability?
- Why are life works socially used without securing their producers?

the question becomes:

> Can the woman co-finance the man?

A social question of distribution is shifted into a private relationship.

The political economy of art disappears behind a household calculation.

19.23 The Work as Counterevidence

The existence of the two life works refutes the implicit narrative of inactivity.

These are not two people who have done nothing.

These are two people whose work was not sufficiently paid.

That is something fundamentally different.

Their poverty does not prove the absence of work.

It proves the failure of its remuneration.

The social-benefit system nevertheless treats poverty as the starting point for individual activation.

It thereby confuses:

- lack of income with lack of work,
- lack of marketability with lack of ability,
- precarity with passivity,
- and need for support with social worthlessness.

19.24 The Political Reversal

The political question must therefore be reversed.

Not:

Why have these artists failed to achieve economic independence?

But:

Why has a society benefited from their work for decades without creating sustainable conditions for their existence?

Not:

Why should the woman not provide for the man?

But:

Why should a disabled artist, through her precarious income, bear the consequences of a labour and cultural system that has failed adequately to remunerate either of them?

Not:

What further activation is necessary?

But:

What compensation, security, and recognition are owed in view of decades of appropriated labour?

19.25 The Neediness of the State

The state describes the man as needy.

But the state too is needy within this relationship.

It needs art.

It needs research.

It needs cultural self-description.

It needs critical voices.

It needs works with which to furnish its institutions, archives, and parliaments.

It needs artists whose work it does not have to finance fully.

Dependency is therefore not one-sided.

The state is culturally dependent on the very people it treats as a burden under social law.

This reversal makes the perversion of the case visible:

It is not only the artists who need the state. The state needs their work — but does not want to pay fully for their existence.

19.26 The Central Accusation

In this context, the Bedarfsgemeinschaft is not merely an instrument of social policy.

It completes a longer process.

First, work is not paid.

Then the resulting poverty is individualised.

Then the remaining financial capacity of the partner is appropriated.

Then further pressure is applied so that both adapt more strongly to the market.

Then the conditions under which their work could continue at all are destroyed.

The central accusation is therefore:

> The state benefits from the life works of two disabled artists, refuses them a sustainable material basis, privatises the consequences of this non-remuneration within their relationship, and then, through its activation logic, threatens the continuation of precisely the work from which society has already benefited.

19.27 The Work Hangs in Parliament

The entire contradiction can be condensed into one image.

The woman's work hangs in the state parliament.

It is located in the political space.

It is visible.

It is preserved.

It possesses institutional value.

Outside this space, the artist struggles to preserve her work, her health, and her economic independence.

The social law of the same state treats her income as an available resource.

Her partner's disability is shifted into her private responsibility.

Her reserves disappear.

Her capacity for strain is exceeded.

The picture remains on the wall.

The artist is consumed.

19.28 Art as Evidence

The work is therefore not only an object of cultural recognition.

It is evidence.

It proves that work took place.

It proves that value was created.

It proves that society perceived this value.

It proves that poverty cannot be equated with inactivity.

And it proves the contradiction of a state that honours the result while destroying the conditions of its production.

The art on the wall accuses the institution in which it hangs.

It shows what the state received.

And it points to the life for which it did not want to pay.

20. The State as Co-Producer and Guarantor (*protective duty / special duty)*

The fiction of family responsibility presupposes that the man's poverty is initially a private problem.

He cannot secure his own subsistence. Therefore, the woman is expected to step in. The state intervenes only in a supplementary way, after the means available within the relationship have been taken into account.

This representation, however, conceals the history of the need.

The man did not become poor outside social structures.

His poverty arose within a labour market that was barely accessible to his neurodivergent mode of functioning. His actual work was not adequately remunerated over decades. Disability-appropriate forms of employment were not created. Accommodations, suitable support, and viable transitions into subsistence-securing work were absent.

The woman's economic precarity likewise did not arise solely from private decisions.

She worked as an artist in a field that socially depends on unpaid and underpaid labour. She took on additional paid employment even though her capacity for strain was limited by ADHD and an anxiety disorder. Her cultural work was recognised without providing her with a permanently secure existence.

The state therefore does not encounter a poverty with which it has nothing to do.

It encounters the consequences of a social order that it helps shape legally, economically, and institutionally.

Precisely for this reason, it cannot neutrally invoke subsidiarity.

Anyone involved in the production of a risk cannot simply transfer its costs onto another vulnerable person.

20.1 Disability Is Not a Private Accident

The individual impairments of those affected are real.

But disability does not arise solely within a person's body or nervous system.

It arises in the relationship between individual conditions and social conditions.

Autism becomes a barrier to employment when workplaces do not provide sufficient predictability, sensory control, Eigenzeit, and tolerance in communication.

ADHD becomes an existential risk when work and administrative systems permanently impose executive demands without offering suitable support.

An anxiety disorder endangers capacity for employment more severely when economic existence remains permanently insecure and every unexpected expense threatens the entire structure of life.

Disability therefore does not reside exclusively in the person.

It is produced, intensified, and prolonged through inaccessible institutions.

A state that does not sufficiently alter these environmental conditions is not merely an uninvolved observer of the resulting poverty.

It participates in its production.

20.2 From Medical Deficit to Institutional Responsibility

The medical deficit model asks:

> What can this person not do because of their disorder?

A human-rights and social-scientific perspective must ask further:

> Which social conditions prevent their existing abilities from becoming effective?

In the case examined here, the second question is decisive.

The man works intensively.

He produces art, research, texts, and films.

His difficulty does not consist in complete inactivity.

It consists in the lack of institutional translation of his work into a secure income.

This translation could have taken different forms:

- disability-appropriate employment models,
- long-term artistic or scientific funding,
- assistance with organisation and marketing,
- protection of neurodivergent Eigenzeit,
- suitable part-time and project structures,
- recognition of exceptional, nonlinear work biographies,
- or subsistence support that enables socially valuable work without destroying it through permanent activation.

None of this was provided in sufficient form.

Instead, the absence of market translation is treated as a personal deficit.

The institutional deficit disappears.

What remains is the supposedly insufficiently activated person.

20.3 Thirteen Years Without Real Support

It is particularly serious that the situation examined here did not arise from a short-term transition.

For more than thirteen years, no viable, disability-appropriate perspective was developed that could actually have led the man out of benefit dependency.

This is central to the assessment of state responsibility.

An authority cannot refer to economic independence for years without concretely addressing the conditions of that independence.

It cannot permanently demand while knowing that its own instruments do not reach the person.

It cannot use the partner as substitute financing while failing to develop a realistic solution itself.

Time changes the quality of the process.

What may initially appear as a provisional assumption becomes, after years, institutional certainty:

> The existing mechanism does not lead to economic independence.

If the arrangement is nevertheless maintained, the state is no longer acting merely in the hope of short-term activation.

It perpetuates known hopelessness.

20.4 The Omitted Support

The formula of the activating welfare state is “Fördern und Fordern” — support and demand.

In the documented case, this balance has broken down.

The demanding remained.

The support largely failed to materialise.

There were no suitable work offers.

No viable placement into neurodivergence-appropriate employment.

No systematic economic development of the existing work.

No assistance capable of bridging the gap between high professional ability and limited market compatibility.

No sufficient compensation for disability-related disadvantages.

No protection of artistic and scientific work.

Instead of creating a real possibility, an abstract objective was repeated:

> Become economically independent.

A demand without a provided path is not support.

If it is enforced through existential pressure, it is coercion.

20.5 State-Produced Unattainability

The state may object that economic independence cannot be guaranteed.

It can open possibilities, but cannot promise success.

But in the case examined here, the issue is not merely lack of success.

The issue is that the state arrangement itself reduces the probability of success.

It destroys:

- concentration,
- Eigenzeit,
- reserves,
- health,
- mobility,
- family stability,
- and the possibility of long-term planning.

The state therefore does not merely fail to provide suitable support.

It additionally attacks the conditions from which economic development could emerge.

The required action does not become unattainable simply because of disability.

Its unattainability is institutionally intensified.

The state demands an exit while simultaneously damaging the path towards it.

20.6 Duty of Protection Instead of Punitive Logic

With regard to disabled people, the state's initial question should be:

> How can disability be prevented from leading to poverty, isolation, and loss of participation?

Within the activation model, it shifts to:

> How can it be prevented that the person permanently requires state benefits?

These questions are not identical.

The first is directed towards the person and their participation.

The second is directed towards reducing state expenditure and dependency.

The two goals can overlap. But they can also come into conflict.

In the case examined here, the reduction of the benefit claim is pursued at the expense of actual participation.

The man receives less individual security.

The woman is burdened more heavily.

Both become more ill.

The family becomes more unstable.

Formally, the state may provide less in the short term.

Materially, the situation of everyone involved deteriorates.

A duty of protection requires the opposite.

It requires preserving existing functional capacity before additional demands are imposed.

It requires not using disability as a reason to shift costs into the family.

It requires not using a second disabled person to compensate for state failures.

20.7 The State's *Garantenstellung*: A Special Duty to Protect Arising from Power

State responsibility does not arise only from co-production.

It also arises from power.

In German legal terminology, this can be described through the concept of a *Garantenstellung*, a special duty to act or protect arising from a particular position of responsibility."

The Jobcenter possesses the legal power to:

- grant or reduce benefits,
- impute income,

- demand documents,
- assess living arrangements,
- reclaim payments,
- and define the economic relationship between two people in a binding manner.

Those affected possess no comparable power.

They can object.

They can litigate.

They can submit evidence.

But until correction occurs, they often remain exposed to the material effects of the decision.

Anyone who decides over the conditions of other people's existence in this way assumes responsibility for the foreseeable consequences.

Power without responsibility for protection would be mere domination.

The state therefore cannot retreat to the claim that it merely applied general rules.

Precisely because its rules intervene in food, housing, health, and relationships, it must monitor their concrete effects.

20.8 Knowledge Creates Responsibility

Responsibility grows with knowledge.

At the beginning of a procedure, an authority may not yet be able to recognise all consequences fully.

But once it is concretely informed about health damage, disabilities, overload, lack of employment prospects, and family consequences, its position changes.

It now knows:

- that the woman is herself disabled,
- that her employment can only be maintained to a limited extent,
- that reserves are necessary for work and mobility,
- that the man has no short-term disability-compatible exit,
- that the private protected space is being destroyed,
- that the relationship is suffering under the pressure,
- and that a child is also affected.

From this point onward, continuation can no longer count as neutral routine.

Knowledge creates a duty to review.

The more severe the consequences, the stronger the duty to interrupt, adapt, or correct.

20.9 The Prevented Rescue

The state's guarantor responsibility becomes particularly clear where only the state can effectively end the mechanism.

The man cannot switch off his disability.

The woman cannot herself cancel the state income imputation.

The child cannot stabilise its parents.

The family can only circumvent the basic rule through separation, moving out, or further self-sacrifice.

The state, by contrast, can:

- restore individual subsistence support,
- assess the actual willingness to provide differently,
- take disability-related circumstances into account,
- protect reserves,
- recognise additional needs,
- and provide suitable support services.

The authority that produces the pain simultaneously possesses the most effective means of ending it.

Precisely from this arises a particular responsibility.

If it fails to rescue despite knowing the danger and possessing the power to act, the omission itself becomes part of the violence.

20.10 The State as Producer of the Double Bind

The double bind is not a spontaneous conflict between the man and the woman.

It is created by the state arrangement.

Without income imputation, the woman could decide for herself to what extent she supports the man.

Without the benefit reduction, his existence would not be directly tied to her self-sacrifice.

Without the institutional fiction, the relationship could organise care without every act of care providing further grounds for state relief.

The state thus creates the conditions under which:

- her love becomes capacity for burden,
- his need becomes guilt,
- her work becomes shared income,
- and separation appears as an economic way out.

It does not stand outside the double bind.

It produces it.

20.11 Responsibility for Systemic Side Effects

Political systems often produce consequences that were not explicitly planned in every individual case.

But this does not imply absence of responsibility.

A state does not have to have foreseen every concrete development of illness in order to bear responsibility for a foreseeably harmful system.

What matters is:

- Was the type of danger recognisable?
- Were particularly vulnerable persons affected?
- Were there concrete warnings?
- Was correction possible?
- Was the measure nevertheless continued?

In the case examined here, it was foreseeable that burdening a disabled woman in precarious employment could endanger her capacity to work.

It was foreseeable that reducing individual subsistence support would push the man into private dependency and guilt.

It was foreseeable that permanent alarm would reduce neurodivergent functional capacity.

It was foreseeable that family stability would suffer.

The concrete form of each harm may have remained open.

The direction of the danger did not.

20.12 *Billigende Inkaufnahme*: Conscious Acceptance of Harm

The concept of knowing acceptance does not necessarily denote an explicit desire for harm.

It denotes an attitude in which a recognised possible harm is accepted in order to continue pursuing another objective.

For the case examined here, this distinction is important.

It is not necessary to claim that individual employees pursued the woman's illness or the man's psychological destruction as personal objectives.

The relevant question is rather:

> Were the severe harms recognised or concretely foreseeable, and was the measure nevertheless continued in favour of cost reduction, activation logic, or legal routine?

If so, the harms are not merely suffered accidentally.

They become incorporated into the decision.

The state then effectively says:

> The consequences are severe, but the rule is to remain in force anyway.

Precisely here lies the ethical significance of knowing acceptance.

20.13 The Duty to Protect the Woman

The woman is not merely the environment of the man entitled to benefits.

She is an independent legal subject.

Her health, her work, her economic independence, and her disability must not be reduced to variables in his benefit calculation.

The state must take into account that her capacity for employment is limited and requires protection.

It must not treat her income as though it arose independently of health, regeneration, and reserves.

It must not effectively use her to finance a second person if doing so endangers her own existence.

And it must not wait until she herself has become fully dependent on benefits.

Protection must begin before collapse.

Not afterwards.

20.14 The Duty to Protect the Man

The man too must not be reduced to his formal capacity for employment.

The fact that a person could theoretically perform some form of work does not answer the question whether, under real conditions, a subsistence-securing activity is accessible to them.

His actual work, his neurodivergent mode of functioning, his exclusion, and the long-term health consequences must be taken into account.

Individual subsistence support is necessary precisely where private support is not voluntarily or sustainably available.

It protects not only against hunger.

It protects autonomy.

It prevents a person from having to experience their relationship as material debt.

It makes it possible to distinguish love from forced financing.

20.15 The Duty to Protect the Child

The child has an independent interest in a stable, secure, and not permanently alarmed living environment.

It must not appear merely as part of a household calculation.

If a state measure destabilises both parents in terms of health, presents separation as a financial exit, and transforms the familial protected space into a site of scarcity, the welfare of the child is also affected.

The state cannot simultaneously invoke the value of family responsibility and maintain a construction that exhausts the family from within.

Protecting the child requires more than securing a calculated minimum need.

It requires protecting parents who are available, capable of acting, and not permanently terrorised.

20.16 Guarantor Duty and Neurodivergence

For neurodivergent people, protection must not mean shielding them from every burden.

It must mean understanding the actual conditions of their functional capacity.

These include:

- predictability,
- sufficient Eigenzeit,
- protection against chronic sensory and threat overload,
- accessible communication,
- support with executive demands,
- and recognition of nonlinear modes of work.

A state that ignores these conditions and instead increases pressure treats neurodivergence according to a false model.

It demands identical behaviour under unequal conditions.

The duty of protection, by contrast, requires not merely formal equality.

It requires effective participation.

20.17 Reversing the Principle of Subsidiarity

In the case examined here, subsidiarity would have to be read in the opposite direction.

Not:

> The state intervenes only after the relationship has consumed its resources.

But:

> The state protects the relationship from having to consume its last resources to compensate for public failures.

Private solidarity can supplement state protection.

It must not be forced through the withdrawal of that protection.

A society that wishes to preserve families and partnerships must enable them to organise care voluntarily and within their own limits.

It must not drive them into self-sacrifice through scarcity.

20.18 The State Cannot Delegate Its Duty to the Vulnerable

Perhaps the most fundamental ethical rule is:

> A duty of protection must not be delegated to a person who herself requires protection.

This is precisely what happens here.

The state is obliged to secure the man's existence and participation.

It transfers part of this task to the woman.

But the woman is herself disabled, precarious, and at risk to her health.

She does not possess the means to assume the public duty of protection permanently.

Her overload is therefore not a surprising failure of private solidarity.

It is the foreseeable consequence of an impermissible delegation.

20.19 The State as a Secondary Perpetrator

The term perpetrator must be used carefully in institutional contexts.

It must not prematurely criminalise individual employees.

But an anonymous description of "the system" can also conceal responsibility.

In the case examined here, the state is at least not merely a spectator to a private misfortune.

It creates the coercive conditions.

It knows the risks.

It possesses possibilities for correction.

It maintains the arrangement.

It thereby becomes an active part of the harmful nexus.

The immediate pain is partly enacted within the relationship.

Its institutional origin nevertheless remains state-produced.

20.20 State Responsibility for the Outcome

The state cannot define the outcome exclusively and then shift responsibility for it onto those affected.

It says:

> Become economically independent.

Yet it shapes the conditions under which both become less able to work.

It says:

> Take responsibility for one another.

Yet it creates a burden that destroys the relationship.

It says:

> Preserve your independence.

Yet it consumes the woman's reserves and possibilities for regeneration.

It says:

> Use your abilities.

Yet it does not recognise the existing artistic and scientific abilities as viable work.

Whoever sets the rules bears responsibility for the foreseeable outcomes of the game.

20.21 Guarantor Duty as a Counter-Concept to the Fiction of Family Responsibility

The concept of family responsibility asks why the woman does not provide more strongly for the man.

The concept of guarantor duty asks why the state does not provide more strongly for both.

This shift changes the entire perspective.

Suddenly the woman no longer appears insufficiently willing to provide.

She appears as a disabled person who has compensated for state underprovision for years.

The man no longer appears insufficiently activated.

He appears as a disabled artist and researcher for whom no viable path to participation was created.

The child no longer appears as another household member.

It appears as a subject of protection within a destabilised family space.

And the state no longer appears as a neutral calculator.

It appears as a powerful co-producer with a duty to end the harm.

20.22 From Private Failure to Public Wrong

The central ideological achievement of the system lies in making publicly produced problems appear as private inadequacies.

The man does not earn enough.

The woman cannot bear the burden.

The relationship cannot withstand the pressure.

The family does not possess sufficient reserves.

Each of these statements may be true in isolation.

Together, however, they conceal the decisive question:

> Why were these people placed in a situation in which their survival depends on resources that are visibly not available?

The poverty is not merely private.

The disability is not merely medical.

The lack of capacity for employment is not merely individual.

The overload is not merely relational.

The process is publicly produced.

It must therefore be publicly accounted for.

20.23 The Consequence

If the state is involved in the production and intensification of the hardship, its duty cannot consist merely in administering that hardship.

It must:

- interrupt the harmful arrangement,
- guarantee individual subsistence support,
- protect the woman's economic independence,
- take into account the neurodivergent conditions of both adults,
- stabilise the familial protected space,
- and create real, not merely rhetorical, possibilities for participation.

Anything else would be the continuation of a violence that is subsequently masked as the private responsibility of those affected.

The central counter-formula is therefore:

> Where the state co-produces poverty and exclusion, private proximity is no substitute for public responsibility.

And further:

> Where two disabled people require protection, the state must not declare one the guarantor of the other in order to withdraw from its own guarantor duty.

The fiction of family responsibility ends where the responsibility of the state begins.

In the case examined here, it began long before the first administrative decision.

21. The Disability-Law Reversal

The case examined here concerns not merely poverty.

It concerns the state treatment of disability.

Both adults are neurodivergent and disabled. Both require conditions under which their existing abilities can be preserved and become socially effective. Yet neither is treated primarily as an independent legal subject with individual support needs.

The man appears as a cost factor.

The woman appears as an available compensatory resource.

The disability of one does not generate sufficient public support.

It generates an additional burden on the other.

The woman's disability does not generate protection of her limited capacity for employment.

It is subordinated to the assumed private responsibility to provide.

The logic of disability law is thereby reversed.

Instead of removing barriers, their consequences are privatised.

Instead of enabling participation, the absence of participation is sanctioned.

Instead of providing reasonable accommodation, those affected are required to compensate for one another.

Instead of protecting self-determination, private dependency is created.

21.1 From Object of Care to Subject of Rights

Modern disability law is not based on the idea that disabled people are passive recipients of state charity.

They are holders of rights in their own name.

They are entitled to equal treatment, participation, autonomy, protection from discrimination, and access to work under conditions that take account of their disability.

This perspective changes the starting question.

The disabled person does not have to prove that, despite their disability, they fit into unchanged social structures.

Society must explain why its structures exclude certain people and what changes are necessary to enable equal participation.

In the case examined here, the opposite occurs.

The man is expected to adapt to a labour market that has been unable to accommodate his neurodivergent mode of functioning for decades.

The woman is expected to extend her limited capacity to work far enough to additionally carry the man's existence where the state does not secure it.

The institutions remain unchanged.

The people are expected to change.

The system thereby reverses the direction of disability law.

21.2 Disability as a Relation

Disability is not located entirely within a person.

It arises from the relationship between individual conditions and social barriers.

The man is not poor because autism inevitably produces poverty.

He is poor because his abilities were not translated into a sustainable existence within existing structures of work, funding, and remuneration.

The woman is not at risk of losing her work because ADHD and anxiety disorder make all employment impossible.

She already works.

Her work is endangered by an additional burden that ignores her limited functional capacity.

This means:

> The state does not merely encounter the consequences of two individual disorders. It is itself part of the environment that turns neurological difference into existential disability.

Through the Bedarfsgemeinschaft, it intensifies this environmental barrier.

21.3 The Denial of Reasonable Accommodation

Reasonable accommodation is not preferential generosity.

It is intended to ensure that disabled people can exercise their rights on an equal basis.

In the case examined here, different accommodations could have been conceivable:

- individual rather than partner-derived subsistence support,
- protection of necessary reserves,
- consideration of limited capacity for strain,
- disability-appropriate communication and procedural design,
- support with executive demands,
- protection of neurodivergent Eigenzeit,
- suitable forms of self-employed artistic and scientific work,
- adapted part-time or project models,
- and effective assessment of the health consequences of state decisions.

Instead, the unchanged activation model was applied to both persons.

The man was expected to become economically independent.

The woman was expected to continue working while also bearing additional costs.

The specific conditions of their functional capacity did not alter the basic logic.

This is not merely a lack of sensitivity.

It is the denial of adaptation without which equal participation remains practically unattainable.

21.4 Formal Equality as Real Disadvantage

A system can formally apply the same rules to everyone and nevertheless disadvantage disabled people particularly severely.

The same deadline affects a person with executive impairment differently.

The same uncertainty affects a person with an anxiety disorder differently.

The same activation requirement affects an autistic person with decades of labour-market exclusion differently.

The same income imputation affects a disabled part-time worker differently from a healthy person in stable full-time employment with sufficient reserves.

Formal equal treatment ignores these differences.

It acts as though the starting conditions were equal.

The same rule can therefore create a limited burden for some and existential destruction for others.

Equality under disability law therefore requires more than identical treatment.

It requires treatment that makes real equality possible.

21.5 Sanctioning the Absence of Accessibility

For years, the man was unable to maintain a market-compatible form of employment sufficient to secure his existence.

The system interprets this as continuing benefit dependency.

It does not, however, sufficiently ask which barriers produced that dependency.

The absence of accessibility is thereby indirectly sanctioned.

The labour market excludes.

Cultural and research funding does not remunerate sufficiently.

Suitable support is absent.

The social-law response nevertheless is:

> Become economically independent.

The person therefore bears the costs of an environment that was not adapted to them.

The state does not remove the barrier.

It increases the pressure on the person standing before the barrier.

21.6 Participation or Mere Economic Utilisation

The right to work must not be reduced to a duty to perform any marketable activity.

Work is also:

- social participation,
- self-determination,
- identity,
- social belonging,
- development of competence,
- and access to material independence.

In the case examined here, both adults already work.

Their work, however, is only partly remunerated in market form.

The state perspective therefore primarily sees a deficit in economic utilisation.

The question is not:

> How can these people use their actual abilities under suitable conditions?

It is:

How can their dependency on the social-benefit system be reduced?

Participation is thereby replaced by fiscality.

A person counts as sufficiently integrated only when their activity relieves the state financially.

Cultural, scientific, or social value is not enough.

21.7 The Right to Work and the Duty to Ensure Fit

A right to work does not mean that the state must guarantee a particular occupational success to every person.

It does, however, mean that disabled people must have access to an open and accessible labour market and that work must not be prevented by discriminatory structures.

In the case examined here, the questions should therefore have been:

- Which working environment would actually be accessible to the man?
- Which forms of self-employment could be protected and developed?
- What support would be necessary for organisation, placement, and marketing?
- Which limits of strain must be taken into account for the woman?
- How can her existing employment be preserved over the long term?
- Which risks must income imputation not create?

The system did not ask these questions sufficiently.

It demanded the outcome without creating the fit.

21.8 The Duty to Preserve Existing Capacity for Employment

Participation under disability law does not begin only with placing an unemployed person into work.

It also includes preserving existing employment.

The woman possesses real but fragile capacity for employment.

Protecting this should take priority.

Instead, precisely those resources that preserve it are attacked:

- reserves,
- mobility,
- regeneration time,
- psychological stability,
- and economic predictability.

The state construction thereby endangers an already successful form of participation.

It attempts to reduce the man's benefit dependency by putting the woman's capacity for employment at risk.

This is absurd from a disability-policy perspective.

Existing participation is sacrificed in order merely to demand another form of participation in the abstract.

21.9 The Disabled Woman as a Substitute System

In the case examined here, the woman effectively becomes an informal rehabilitation and security system.

She is expected to:

- provide income,
- absorb crises,
- prevent underprovision,
- create emotional stability,
- maintain the household,
- and compensate for the consequences of absent state support.

She receives no institutional resources for doing so.

No remuneration.

No sufficient relief.

No guaranteed protection.

No professional support.

Her own disability disappears behind the function attributed to her.

The state does not treat her as a person who herself requires reasonable accommodation.

It treats her as the accommodation for the man.

This is a fundamental reversal.

21.10 Two Disabilities Do Not Produce Compensatory Capacity

The Bedarfsgemeinschaft implicitly follows a calculative logic:

One person has need.

The other has income.

The income offsets the need.

But disability cannot be balanced in this way.

The woman's limited capacity for employment does not become unlimited because the man has additional need.

The man's lack of market-compatible capacity for employment is not resolved because the woman earns somewhat more.

Two vulnerable people do not automatically form a sustainable support system.

Their resources may complement one another.

But they may also need to stabilise one another merely in order to remain functional.

If this stabilisation is economically consumed, the support needs of both increase.

21.11 From Support to Exploitation

Private support can be an expression of self-determined solidarity.

It becomes exploitative when the state:

- presumes it,
- calculates it in,
- forces it through withdrawal of benefits,
- places no limit on it,
- and continues it despite health-related harm.

The woman is allowed to help the man.

She may also decide to share part of her income with him.

But a voluntary action changes its character when the state reduces its own contribution precisely because it expects this help.

Voluntary support then becomes an institutional resource.

The more she helps, the less the state has to provide.

The system thereby punishes her solidarity.

21.12 Self-Determined Living

Self-determination under disability law includes the possibility of choosing one's own forms of life.

This includes deciding with whom a person lives, which relationships they have, and how economic responsibility is organised within those relationships.

In the case examined here, this self-determination is restricted.

Living with the woman and child has direct consequences for the man's individual subsistence support.

The private form of life is economically sanctioned.

The apparent way out consists in spatial or relationship separation.

The choice of housing and family life is thereby placed under financial coercion.

A formal right to live together is not sufficient if exercising it triggers an existential penalty.

21.13 Institutionally Induced Separation as Violence

The Bedarfsgemeinschaft can produce an indirect form of separation violence.

The state does not order separation.

It structures the economic conditions, however, so that separation can appear as the only path to individual subsistence security.

For the man, the message is:

> If you stay, the woman is burdened.
>
> If you leave, her burden can decrease.

Preserving the family is thereby associated with guilt.

Disability becomes a financial argument against shared life.

This contradicts a policy that recognises disabled people as equal members of families and relationships.

21.14 Dependency Instead of Autonomy

Individual subsistence support is intended to enable people to shape their lives independently.

Through income imputation, however, the man is made dependent on the woman.

He has to accept her support.

He has to relate his needs to her income.

He may have to ask for money.

He has to observe what costs he causes.

The woman also loses autonomy.

She can no longer freely dispose of the material return from her work within the framework of her own needs and future planning.

Neither becomes more independent.

They are forcibly coupled to one another.

The system calls this community.

From the perspective of disability law, it is the production of dependency.

21.15 The Human-Rights Model Against the Activation Logic

The human-rights model of disability and the activation logic stand opposed at a decisive point.

The human-rights model asks:

> What support does this person need in order to live equally and self-determinedly?

The activation logic asks:

> What pressure is necessary for this person to end their state dependency?

The first question recognises rights.

The second suspects behavioural deficits.

The first changes conditions.

The second changes incentives.

The first treats vulnerability as a reason for protection.

The second can use vulnerability as an effective pressure point.

In the case examined here, the second logic prevailed.

21.16 Neurodivergence as a Political Blind Spot

Autism and ADHD are often interpreted in social-policy procedures through neurotypical expectations.

These may include assumptions of:

- even capacity for strain,
- linear increase in performance,
- flexible adaptation,
- rapid task-switching,
- social self-marketing,
- routine management of bureaucracy,
- and direct translation of motivation into action.

When a person deviates from these expectations, this appears as an individual problem.

The system does not recognise that its own form is neurotypical.

It treats its requirements as neutral.

Neurodivergence becomes deviation from an invisibly established norm.

Milton's concept of the Double Empathy Problem shows that misunderstandings between autistic and non-autistic people cannot be attributed one-sidedly to a social deficit of the autistic person. Rather, they arise within a reciprocal difference in perception, experience, and communication (Milton 2012). Applied to institutions, this means that neurotypically developed administrative and

work forms must not be treated as neutral measuring instruments by which the adaptability of neurodivergent people alone is assessed. The institution too has a limited capacity to understand how the person functions.

21.17 The Right to Neurodivergent Functional Conditions

Equal participation does not require neurodivergent people to conform to neurotypical forms of work and life.

It requires space for different functional conditions.

These can include:

- nonlinear working hours,
- project logic rather than attendance logic,
- longer periods of concentration,
- fewer interruptions,
- written rather than spontaneous communication,
- spaces for withdrawal,
- assistance with administration,
- flexible part-time work,
- and subsistence support during long-term artistic or scientific work.

These conditions are not special treatment in the sense of arbitrary privilege.

They may be necessary for existing abilities to become equally effective at all.

21.18 The Discriminatory Effect of Pressure

Activation pressure may not be applied explicitly because of disability.

It can nevertheless have discriminatory effects related to disability.

Its consequences affect those involved particularly severely precisely because of their neurological and health conditions.

Under chronic pressure, the man does not merely lose comfort.

He loses executive and autistic functional capacity.

The woman does not merely lose disposable income.

She loses resources that preserve her limited capacity for employment.

The same rule thereby produces unequal harm.

If this effect becomes known and is nevertheless not corrected, the disadvantage becomes entrenched.

21.19 Disability Becomes Liability Within the Relationship

Perhaps the most radical reversal lies in disability becoming a form of private liability within the relationship.

The man's disability produces need.

This need is offset against the woman's income.

The relationship makes her economically responsible.

She therefore effectively becomes liable for a disability that she did not cause and cannot compensate for.

The man in turn becomes morally liable for the harms this burden causes her.

Public responsibility is transformed into reciprocal private liability.

Protection under disability law is replaced by relationship-based guilt.

21.20 The Absence of Disability Accommodation

The central function of disability accommodation is to prevent disability-related disadvantages simply remaining personal losses.

In the case examined here, the opposite occurs.

The disadvantages are not compensated for.

They are added together.

The man bears the disadvantages of autism, ADHD, labour-market exclusion, and lack of remuneration.

The woman bears the disadvantages of ADHD, anxiety disorder, precarious cultural work, and limited capacity for employment.

The Bedarfsgemeinschaft connects both structures of disadvantage.

The woman's income is then used to reduce the state costs associated with the man.

The absence of accommodation is replaced by additional private burden.

21.21 The State Duty of Individualisation

Disability-appropriate administration requires individualised assessment.

Not every person with the same diagnosis has the same needs.

Not every partnership has the same economic structure.

Not every income is equally available.

Not every capacity for employment can bear the same burden.

In the case examined here, an individualised assessment would at minimum have had to ask:

- How do both actually organise their finances?
- Which costs does each person bear?
- Which limits of strain exist?
- Which reserves are necessary to preserve capacity for employment?
- What health consequences does income imputation have?
- Which real work possibilities does the man possess?
- What consequences arise for the child?
- Which alternatives are available?

The mere application of general presumptions is insufficient where concrete disability and severe consequences are known.

21.22 The Contradiction with the Promise of Equality

German constitutional law prohibits discrimination because of disability. The welfare state is also bound by human dignity, equality, and the social-state principle.

These promises lose their meaning if disability is formally recognised but practically treated as a private financing problem.

A state cannot credibly declare:

> No one may be disadvantaged because of disability,

while at the same time placing a disabled woman in a destructive support situation precisely because her also-disabled partner cannot secure his own subsistence.

It cannot promise participation while destroying the conditions of existing work.

It cannot promise self-determination while generating economic pressure towards separation.

21.23 Protection Against Discrimination Through Effects

Discrimination does not appear only in the explicit statement:

> You receive less because you are disabled.

It can appear in a rule whose effects systematically place disabled people at a disadvantage.

In the case examined here, the disadvantage lies in the causal chain:

1. Disability makes subsistence-securing employment more difficult.
2. Lack of income leads to benefit dependency.
3. Benefit dependency leads to imputation of partner income.
4. The partner is economically burdened.

5. Both lose health-related and occupational functional capacity.
6. Disability-related dependency deepens.

The rule formally attaches to income and relationship.

Its destructive effect, however, arises substantially through disability.

21.24 The Duty Not to Disable Further

A minimum standard of state action would have to be:

> A system that cannot eliminate disability must at least not intensify it further.

In the case examined here, precisely this occurs.

The man becomes less able to act through the measure.

The woman is pushed towards her own incapacity for work.

The child loses stability.

The relationship loses its regulatory function.

The state thereby increases the support need that it seeks to reduce.

It disables further.

21.25 Disability Law as a Limit to Fiscal Utilisation

The economic consideration of private resources cannot be unlimited.

It must end where it:

- intensifies disability-related disadvantage,
- endangers existing capacity for employment,
- replaces reasonable accommodation,
- undermines self-determination,
- and forces a second disabled person to compensate.

Disability law therefore limits not only overt discrimination.

It also limits fiscal models that function at the expense of vulnerable people.

The question is not merely whether income exists on paper.

The question is which human-rights costs its imputation creates.

21.26 The Actual Duty to Adapt

The system demands that both affected persons adapt.

The man is expected to change his way of working.

The woman is expected to extend her capacity for strain.

The family is expected to alter its economic organisation.

But the stronger duty to adapt lies with the state.

It must design its procedures, work models, and benefit systems so that people with different modes of functioning can live on an equal basis.

The necessary adaptation is not:

> Become less disabled.

It is:

> Make institutions less disabling.

21.27 From Deficit to Institutional Accusation

Once disability is understood relationally, the meaning of the case changes.

The man no longer appears as a person who lacks sufficient capacity for employment.

He appears as a person whose existing abilities were not adequately accommodated institutionally.

The woman no longer appears as a person with disposable surplus income.

She appears as a disabled worker whose fragile participation is endangered by state cost shifting.

The family no longer appears as a community insufficiently willing to provide for one another.

It appears as a protected space whose resources are institutionally exploited.

The state no longer appears as a neutral helper.

It appears as a producer of additional barriers.

21.28 The Triple Violation

The case examined here therefore contains at least three directions of violation under disability law.

First, the man's disability is not compensated through sufficient support and reasonable accommodation.

Second, the woman's disability is not adequately taken into account in the burden imposed through the Bedarfsgemeinschaft.

Third, the possibly neurodivergent situation of the child is intensified by destabilisation of the familial protected space.

These violations do not stand alongside one another.

They reinforce one another.

21.29 From Right to Protection to Pressure Point

The deepest perversion lies in the fact that the particular vulnerability that should justify protection becomes a pressure point.

Because of his disability, the man can escape underprovision less easily.

Precisely for this reason, the measure works more strongly.

Because of her disability, the woman cannot arbitrarily extend her capacity for strain.

Precisely for this reason, the income imputation threatens to destroy her more quickly.

Both depend on a stable private space.

Precisely this space becomes the site of enforcement.

The system thereby effectively uses the vulnerability that it should limit.

21.30 Conclusion

The process examined here is not merely harsh social policy.

It stands in fundamental tension with a disability law that requires equality, self-determination, participation, and reasonable accommodation.

The Bedarfsgemeinschaft does not treat disability as a reason for public responsibility.

It treats it as a burden to be distributed privately.

It does not create sufficient fit.

It increases pressure.

It does not protect existing capacity to work.

It consumes it.

It does not strengthen autonomy.

It produces dependency.

It does not protect the family.

It creates an economic threat of separation.

The central reversal is:

> The institution is not adapted to disabled people. Disabled people are burdened until they break against the institution.

This is not equal participation.

It is institutional ableism.

And where this ableism continues despite known severe harm, it becomes violence.

22. Legal Thresholds of the Experiment in Violence

The analysis so far has described the process examined here as a state experiment in violence, as a double bind, as ill-treatment, as disintegration, and as potentially torture-like treatment.

These concepts are not identical with an already concluded legal judgement.

They do, however, identify legal questions that do not disappear merely because the violence is mediated through administrative decisions, income imputation, and private burdens.

The law must not examine only the individual calculation step.

It must capture the overall effect of state action.

In the present case, several levels of legal protection are affected simultaneously:

- human dignity,
- the right to a dignified subsistence minimum,
- life and physical integrity,
- equality and protection against disadvantage because of disability,
- protection of family and the parent-child relationship,
- self-determined living,
- participation in working life,
- protection against cruel, inhuman, or degrading treatment,
- and the right to effective legal protection.

None of these levels, taken alone, answers the entire question.

In their interaction, however, they form a boundary that a fiscal or activating social-benefit system must not cross.

22.1 Human Dignity: The Person Must Not Become a Means

Article 1 paragraph 1 of the Basic Law[1] declares human dignity inviolable and obliges all state authority to respect and protect it. This obligation applies directly to the legislature, administration, and judiciary.

Human dignity is affected where a person is no longer treated as an autonomous subject, but merely as a means to external ends.

In the case examined here, this occurs on several levels.

1 The Federal Constitutional Court (Bundesverfassungsgericht)derives from Article 1 paragraph 1 in conjunction with Article 20 paragraph 1 of the Basic Law a fundamental right to the guarantee of a dignified subsistence minimum (BVerfG 2010).

The man becomes the object of an activation strategy.

His material deprivation is intended to move him towards an economic change in behaviour.

The woman becomes a private source of financing.

Her work, health, and bond with the man are used to reduce state benefit obligations.

The relationship becomes an instrument of control.

The child becomes part of a household arrangement whose fiscal logic overrides the protection of family stability.

The decisive question of dignity is therefore:

> May the state steer one person through the foreseeable harming of another person whom they love?

And further:

> May it treat a disabled person as a substitute resource for the public provision for a second disabled person, even though doing so endangers her own existence and capacity to work?

Human dignity does not prohibit every burden imposed by the state.

It does, however, prohibit treatment in which the person disappears behind the purpose of their disciplining, economic utilisation, or the saving of costs.

22.2 The Dignified Subsistence Minimum

The Federal Constitutional Court derives from Article 1 paragraph 1 in conjunction with the social-state principle the state obligation to actually secure for every person the material conditions necessary for a dignified existence. Social-policy objectives of cooperation and activation are also limited by this obligation.[2]

The subsistence minimum is not merely a calculated amount.

It is intended to secure physical existence and a minimum degree of social participation.

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2 The Federal Constitutional Court (Bundesverfassungsgericht) derives from Article 1 paragraph 1 in conjunction with the social-state principle the state obligation to actually secure for every person the material conditions necessary for a dignified existence. Social-policy objectives of cooperation and activation are also limited by this obligation. State requirements of cooperation and benefit reductions are subject in particular to the limits of proportionality and must not disregard the person’s actual ability to cooperate (BVerfG 2019).

The subsistence minimum is not merely a calculated amount.

In the case examined here, the man's individual subsistence support is partly offset against the woman's income. Section 9 paragraph 2 SGB II provides that, for persons in a Bedarfsgemeinschaft, the income and assets of the partner are also taken into account.

The constitutional question, however, is not answered merely by the fact that this imputation is provided for in ordinary legislation.

What remains to be examined is:

- Are the imputed means actually and reliably available to the man?
- Must the woman endanger herself in terms of health or economic security in order for his subsistence minimum to be effectively covered?
- Is voluntary support being presumed that in fact does not exist, or does not exist to this extent?
- Does a shortfall arise that is concealed only through private self-sacrifice?
- Is individual subsistence support transformed into a dependency that impairs human dignity and autonomy?

Calculated coverage of need is not necessarily actual coverage of need.

If the woman can provide for the man only by giving up her own necessary expenditure, reserves, or health-related needs, the scarcity is not eliminated.

It is distributed between two people.

22.3 Life and Physical Integrity

Article 2 paragraph 2 of the Basic Law protects life and physical integrity.

This protection does not concern only direct physical interference.

State action may also require justification where it foreseeably creates serious health risks or intensifies existing dangers.

In the case examined here, not merely financial interests were affected.

The arrangement interfered with conditions that were essential to the health and functional capacity of both adults:

- regeneration,
- reserves,
- mobility,
- sleep,
- psychological security,
- protection from chronic overload,
- and the stability of the private living environment.

The woman was pushed to the limits of her disability-related restricted capacity for strain.

The man was permanently exposed to existential fear, guilt, powerlessness, and autistic overload.

Once these consequences were concretely known, the health effects themselves had to become part of the state decision.

An authority can then no longer restrict itself to examining only the economic facts.

It is simultaneously deciding whether an arrangement that endangers health is to be continued.

22.4 Equality and Discrimination on the Grounds of Disability

Article 3 paragraph 3 sentence 2 of the Basic Law provides that no one may be disadvantaged because of their disability.[3]

Disadvantage need not consist only in an openly disability-hostile rule.

It can also arise where an apparently neutral rule affects disabled people substantially more severely because of their particular functional conditions.

Precisely this is possible in the case examined here.

The income imputation does not sufficiently take into account:

- that the woman is herself disabled,
- that her part-time work remains possible only within narrow limits of strain,
- that reserves and regeneration are conditions of her capacity for employment,
- that under pressure the man does not become more capable, but less able to act,
- and that both require a protected space appropriate to neurodivergence.

The Disability Equality Act expressly clarifies that the denial of reasonable accommodation can also constitute discrimination.

The legal question is therefore not merely whether the same rules apply to all Bedarfsgemeinschaften.

It is:

> Were the disability-related differences in the effects of the rule recognised and compensated for through reasonable accommodation?

Formal equality is not sufficient where it foreseeably leads to unequal destruction.

22.5 Self-Determined Living

Article 19 of the UN Convention on the Rights of Persons with Disabilities[4] recognises the equal right of disabled people to live independently in the community and to choose their place and form of living. The Convention directs state policy towards autonomy, inclusion, and individual support.

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3 Federal Republic of Germany (1949): *Basic Law for the Federal Republic of Germany*, Art. 3 para. 3 sentence 2.

4 United Nations (2006): *Convention on the Rights of Persons with Disabilities*, Art. 19.

In the case examined here, the choice of living together is economically burdened.

The man can financially relieve the woman by leaving the shared household.

Spatial or familial separation thereby becomes a possible way out of a social-law coercive situation.

This is not a free choice in the full sense.

A form of life is not self-determined if its continuation is tied to a substantial financial penalty.

The central question is:

> Are disabled people effectively expected to choose between individual subsistence security and living together with their family?

Where this occurs, the Bedarfsgemeinschaft affects more than income.

It intervenes in the architecture of private life.

22.6 Protection of Family and Child

Article 6 paragraph 1 of the Basic Law[5] places marriage and family under the special protection of the state order. The care and upbringing of children are at the same time the right and duty of the parents.

This protection cannot be reduced to the mere absence of a formal order to separate.

Economic conditions can also destabilise families.

In the case examined here, the income imputation creates a material incentive towards separation:

- If the man stays, the woman is burdened.
- If he leaves, her financial situation may improve.
- If the family remains together, their shared form of life becomes the cause of economic disadvantage.
- If they separate, the child loses part of its previous family everyday life.

The state cannot simultaneously use the family as a unit of private responsibility and create the economic conditions for its dissolution.

The special protection of the family must therefore also encompass the cumulative effect of social-law regulations.

22.7 The Right to Work and the Protection of Existing Capacity for Employment

Article 27 of the UN Convention on the Rights of Persons with Disabilities[6] obliges States Parties to recognise the right of disabled people to work in an open, inclusive, and accessible labour market.

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5 Federal Republic of Germany (1949): *Basic Law for the Federal Republic of Germany*, Art. 6 para. 1.

6 United Nations (2006): *Convention on the Rights of Persons with Disabilities*, Art. 27.

The Convention concerns not only access to employment, but also its preservation and appropriate support.

In the case examined here, the woman was already in employment.

Her employment should have been protected.

Instead, conditions that made its continuation possible were endangered:

- mobility,
- reserves,
- health stability,
- limited working hours,
- and regeneration.

The man, in turn, possessed substantial artistic and scientific abilities, but for years received no effective disability-appropriate translation of those abilities into a sustainable form of employment.

This creates a double contradiction:

> The state demands work from the man without creating accessible work.
>
> At the same time, it endangers the woman's already existing employment.

A system that destroys existing capacity for employment cannot simply invoke the objective of labour-market integration.

22.8 Social Protection under the UN CRPD

Article 28 of the UN Convention on the Rights of Persons with Disabilities recognises the right of disabled people to an adequate standard of living and social protection without discrimination on the basis of disability.[7]

The construction examined here turns this promise on its head.

The man's need for support does not lead to increased social protection.

It leads to an increased burden on the woman.

Her own disability does not lead to additional protection.

She is treated as a person whose economic resources are available.

Two individual claims to protection are not added together.

They are offset against one another.

This raises a fundamental question under disability law:

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7 Article 28 of the UN Convention on the Rights of Persons with Disabilities recognises the right of disabled people to an adequate standard of living and social protection without discrimination on the basis of disability (United Nations 2006).

> May social protection be organised in such a way that the disability of one person becomes an economic risk for a second disabled person?

22.9 Protection Against Inhuman and Degrading Treatment

Article 3 of the European Convention on Human Rights is absolute:

> No one shall be subjected to torture or to inhuman or degrading treatment or punishment.[8]

The European Court of Human Rights assesses the required minimum level of severity on the basis of the circumstances as a whole. These include, among other factors, duration, physical and psychological effects, vulnerability, helplessness, and the specific situation of the person concerned. State responsibility may also encompass positive duties of protection.

For the case examined here, this means:

Not every unlawful administrative decision reaches the threshold of Article 3 ECHR.

Not every shortfall already constitutes inhuman treatment.

Not every hardship under social law is torture.

The assessment may, however, be different where the following factors are present cumulatively:

- long duration,
- severe psychological and health consequences,
- multiple disability,
- absence of any real possibility of escape,
- the involvement of a loved third person,
- the destabilisation of a child,
- concrete knowledge on the part of the authority,
- and continuation despite recognisable hopelessness.

Article 3 must not be restricted to visible physical violence.

The question is what level of severity the state-produced situation as a whole actually reaches.

22.10 Torture and the Narrower Requirement of Purpose

Torture constitutes, within Article 3 ECHR and the UN Convention against Torture, the particularly severe form of intentionally inflicted suffering.

Legal classification as torture requires more than evidence of severe hardship.

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8 The prohibition under Article 3 ECHR is absolute; the minimum level of severity is assessed on the basis of all the circumstances of the individual case, including duration, effects, and the vulnerability of the person concerned (ECtHR 2025).

What would need to be examined in particular includes:

- the intensity of the suffering,
- its attribution to the state,
- intentionality,
- a specific purpose such as coercion, intimidation, punishment, or obtaining a particular form of behaviour,
- and concrete knowledge of the consequences.

In the case examined here, the dimension of purpose is not obviously excluded.

The pressure is intended to change behaviour.

The man is supposed to become economically independent.

The woman is supposed to assume private responsibility for providing support.

The suffering is therefore linked to a behavioural demand.

What remains difficult is the precise legal determination of the level of intent.

The state intends the pressure.

Whether the entire concrete destruction can also be attributed to it as an intended consequence requires separate examination.

Precisely for this reason, the graduated language of the paper is appropriate:

- ill-treatment,
- disintegration,
- cruel treatment,
- inhuman treatment,
- degrading treatment,
- torture-likeness,
- and possibly torture in the narrower legal sense.

The narrowest category must not be asserted prematurely.

But nor should it remain unexamined merely because the instruments are administrative rather than physical.

22.11 Proportionality

State interference must pursue a legitimate aim, be suitable and necessary for achieving that aim, and must not impose a disproportionate burden on those affected.

In the case examined here, even suitability is questionable.

The pressure did not lead to economic independence.

It reduced the man's functional capacity.

It endangered the woman's capacity for employment.

It intensified family instability.

The measure therefore produced the opposite of its asserted objective.

Its necessity is also doubtful.

Less harmful means were conceivable:

- individual subsistence support,
- disability-appropriate assistance,
- protection of necessary reserves,
- preservation of the woman's part-time employment,
- recognition of genuinely separate economic management,
- reasonable accommodation,
- and support tailored to actual abilities.

Finally, proportionality in the narrower sense is also in question.

Limited fiscal relief cannot simply justify endangering health, work, family, and human dignity.

22.12 The Limits of Abstract Categorisation

Social law must operate with generalising rules.

Not every individual case can be constructed entirely anew.

But generalisation has limits.

It becomes problematic when it can no longer capture atypical life situations and thereby produces serious violations of fundamental rights.

In the case examined here, several atypical factors coincide:

- two disabled and neurodivergent adults,
- an already fragile part-time employment arrangement,
- decades of unpaid cultural and research work,
- a shared child,
- an unsustainable expectation of private financial responsibility,
- and a concrete escalation of health-related harm.

The further a case departs from the assumed standard biography, the less the administration may rely on abstract standard assumptions.

22.13 Effective Legal Protection

Article 19 paragraph 4 of the Basic Law[9] guarantees access to the courts where a person's rights are violated by public authority.

A formally available legal remedy, however, is not always effective in practice.

In the case examined here, the state measure continues to operate during the legal proceedings.

At the same time, it reduces:

- concentration,
- executive capacity to act,
- financial resources,
- psychological stability,
- and the ability to conduct complex proceedings.

Those affected must document their own destruction while that destruction weakens their ability to document it.

In cases involving possible violations of Article 3 ECHR, the European Convention on Human Rights also imposes particularly high requirements on the effectiveness of remedies.

Legal protection must therefore be provided in time.

A later success is not always sufficient if health, work, or family have in the meantime been irreversibly damaged.

22.14 The Cumulative Fundamental-Rights Assessment

The case must not be broken down into legal questions isolated from one another.

The income imputation does not concern only property interests.

It simultaneously concerns:

- the man's subsistence minimum,
- the woman's health,
- the autonomy of both,
- family life,
- the situation of the child,
- participation in working life,
- protection against disability discrimination,
- and potentially Article 3 ECHR.

It is precisely the cumulative effect that can generate a new legal quality.

A measure that may still appear to constitute only a limited burden in each individual domain can become intolerable in its overall effect.

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9 Federal Republic of Germany (1949): *Basic Law for the Federal Republic of Germany*, Art. 19 para. 4.

The law must therefore ask the same question as this paper:

> What actually happens to the people when all the individual decisions act upon their lives at the same time?

22.15 Compliance with Ordinary Law Is Not Enough

Even if an authority formally applies a provision of SGB II correctly, this does not finally determine whether the result is compatible with constitutional and human-rights law.

The legislature, administration, and judiciary are bound by fundamental rights.

A statutory construction must not be applied in such a way that:

- the subsistence minimum is secured only through private self-sacrifice,
- the health of a third person is foreseeably destroyed,
- disability produces additional disadvantage,
- family life is effectively punished,
- or severe suffering is continued despite known hopelessness.

The formula:

> The law provides for the imputation,

does not therefore end the examination.

It begins it.

22.16 The Legal Threshold of Knowledge

A central point of transition once again lies in the knowledge of the state authorities.

Before concrete harm becomes known, an authority may rely on the abstract assumption that the statutory construction is viable in the individual case.

After concrete notification of:

- disability,
- health-related overload,
- absence of any real employment prospect,
- endangerment of the woman's work,
- family destabilisation,
- and severe psychological effects,

this assumption can no longer be taken for granted.

From this point onward, the state must reassess the situation.

If it fails to do so, the application of an abstract rule becomes the conscious continuation of the measure with concrete knowledge of the harm.

The legally decisive question is therefore not only:

> What did the legislature know in general?

But:

> What did the responsible authorities know in this case, when did they know it, and what possibilities for action did they have?

22.17 No Collision of Fundamental Rights Between Two Disabled People

The state must not present the situation as though only the interests of the man and the woman stood in opposition to one another.

The man requires subsistence support.

The woman requires protection of her work and health.

Both are legitimate positions of protection.

The conflict arises only because the state shifts the fulfilment of one need onto the other person.

It is therefore not originally a conflict between two disabled people.

It is a conflict between their shared interests in protection and a state logic of cost reduction and activation.

This distinction is essential.

Otherwise, the woman appears as an obstacle to the man's support, or the man as the cause of her poverty.

In reality, both are holders of rights against the state.

22.18 The Legal Counter-Formula

From the various levels of protection, a provisional counter-formula can be developed:

> The state must not make the subsistence support of a disabled person dependent on an also-disabled partner in a manner that endangers her health, capacity for employment, and economic independence, destroys the autonomy of both, places family life under pressure of separation, and offers no realistically attainable way out despite known severe consequences.

This formula is not yet a judicial holding.

It does, however, condense the legal significance of the case.

22.19 The Open Legal Question

Whether the concrete treatment already fulfils all the requirements of torture in the narrow legal sense remains subject to more detailed legal examination.

Less open is the fundamental boundary.

A democratic welfare state must not:

- consciously use severe existential deprivation as an instrument of pressure,
- steer one disabled person through the harming of a second disabled person,
- economically punish the maintenance of a family,
- destroy existing capacity for employment in favour of short-term cost reduction,
- and then treat all resulting consequences as private responsibility.

The narrowest legal designation may be disputed.

Its human-rights relevance is not.

22.20 The Threshold Is Reached Before the Person Is Destroyed

Legal protection must not begin only once the woman has permanently lost her work.

Not only once the man has completely decompensated.

Not only once the family has broken apart.

Not only once the child shows manifest harm.

And not only once a medical diagnosis retrospectively confirms causality.

Duties of protection must become effective before irreversible harm occurs.

The legal threshold lies where a serious danger is concretely recognisable, co-produced by the state, and avoidable.

In the case examined here, the question is therefore not only:

> What has already been destroyed?

But:

> What should the state have prevented immediately in light of the recognisable danger?

This question leads to the next chapter.

For the abstract legal possibility of a violation becomes concrete state responsibility where knowledge, warning, and continuation converge.

23. Knowledge, Warning, and Continuation

The legal and ethical assessment of the process examined here depends substantially on what the responsible state authorities knew, when they knew it, and how they responded to that knowledge.

A general social-law rule may initially rest on the assumption that its consequences remain viable in the individual case.

That assumption ends, however, where concrete indications of severe health-related, economic, and familial harm exist.

From that point onward, continuation of the measure is no longer merely the application of an abstract rule.

It becomes a decision taken with knowledge of its concrete effects.

In the case examined here, the Bedarfsgemeinschaft was not assumed for only a few months or within the framework of a short-term transitional period.

The state construction operated over a period of more than thirteen years.

During this time, no realistic, disability-appropriate perspective emerged through which the man could have achieved economic independence.

There were no suitable employment offers.

No sustainable placement.

No support tailored to autism and ADHD.

No institutional translation of his artistic and scientific activity into a form of employment capable of securing subsistence.

At the same time, economic responsibility continued to be shifted into the relationship.

Duration itself produced knowledge.

After thirteen years, the assumption could no longer be maintained that this was merely a temporary activation phase that would soon lead to economic independence.

The system had failed to achieve its asserted objective for years.

Yet the hypothesis was not corrected.

The pressure remained.

23.1 Knowledge Produced by Duration

Time is not a neutral background in this context.

It changes the state of knowledge.

After a few months, an authority may perhaps still assume that a person could become economically independent through placement, support, or changed life circumstances.

After several years without suitable support, without sustainable employment opportunities, and without recognisable improvement, this assumption becomes increasingly unrealistic.

After more than thirteen years, the failure to achieve the objective itself becomes a finding.

The finding is:

> The previous strategy does not lead to economic independence.

If it is nevertheless continued, this can no longer be explained solely by hope of short-term success.

Duration refutes the activation hypothesis.

It shows that the pressure produces no way out.

23.2 Knowledge of Disability

The state authorities knew or should have known that the absence of economic independence did not rest solely on a freely controllable behavioural decision.

The man had autism and ADHD.

This neurodivergence was associated with substantial difficulties in functioning sustainably within standardised employment structures.

At the same time, his decades of work in art and research showed that the problem did not lie in complete inactivity or lack of willingness to work.

He worked.

But he worked in a form that was not sufficiently absorbed or remunerated by the labour market and the social-benefit system.

The woman, too, did not have unlimited capacity for strain.

Her part-time employment existed under the conditions of ADHD and an anxiety disorder.

Her employment was therefore not to be understood as an arbitrarily expandable resource.

It was a fragile equilibrium.

With knowledge of these disabilities, it was foreseeable that additional pressure would not have a neutral effect.

It encountered limited reserves of capacity.

It encountered executive difficulties.

It encountered anxiety and chronic susceptibility to overload.

It encountered a familial protected space whose stability was essential to both.

23.3 Knowledge of the Economic Structure

The state construction rested on the assumption that the woman's income was available to cover the man's needs.

But the economic reality was more complex.

The woman was not herself receiving benefits.

She worked part-time.

She lived precariously.

She required her income to preserve her own subsistence, mobility, health, employment, and artistic activity.

There was no reliable capacity to provide maintenance.

The imputation created such a capacity only on paper.

If the income was nevertheless treated as available, it had to be foreseeable that covering the man's needs could occur only through the consumption of her own economic stability.

The central fact was therefore known or recognisable:

> There was no genuine surplus.

There was only a displacement of scarcity.

23.4 The Declaration of an Absence of Willingness to Assume Responsibility

Of particular importance is that the woman did not merely claim that the system burdened her too heavily.

She declared that she did not wish to assume economic responsibility for the man in the manner presumed by the Jobcenter.

This declaration touches the core of the Bedarfsgemeinschaft.

For the social-law model presupposes more than merely living together or emotional closeness.

It presumes a community of responsibility and mutual financial support.

Where the willingness to assume mutual economic responsibility is expressly denied, the authority cannot simply act as though private maintenance were self-evidently available.

It must examine:

- How are finances actually managed?
- Which costs are borne by each person?
- Are there separate bank accounts?
- Is there joint control over income?
- Are debts or shortfalls covered only out of acute necessity?

- Is support provided voluntarily or effectively coerced through state withdrawal?
- Is the woman even capable of providing such support on a sustained basis?

If the explicit declaration that there is no willingness to assume responsibility is ignored or replaced by an abstract presumption, epistemic violence arises.

The state fiction is given priority over the knowledge of those affected about their own economic relationship.

23.5 Emergency Assistance Is Not a Community of Mutual Responsibility

Precisely among people who are close to one another, acute deprivation may lead one person temporarily to lend money, pay bills, or provide food.

Such an act does not necessarily prove a voluntarily assumed permanent community of maintenance.

It may prove the opposite.

It may show that the state has created an emergency in which one person could not, out of moral necessity, abandon the other.

The woman then helps not because she recognises the responsibility presumed by the state.

She helps because the man would otherwise be left without adequate provision.

The act is real.

Its voluntariness is restricted.

The Jobcenter must not retrospectively use this coerced emergency assistance as evidence that the presumed community of mutual responsibility actually exists.

Otherwise, a closed circular logic arises:

1. The state reduces the benefit.
2. The partner prevents the acute emergency.
3. Her assistance is treated as evidence of mutual financial responsibility.
4. The benefit remains reduced.
5. The partner must help again.

The system itself produces the very practice that it subsequently uses to justify its construction.

23.6 Knowledge of the Health-Related Harm

The burden did not remain limited to an abstract danger.

The health consequences became visible.

The woman was at risk of collapsing under the combination of part-time work, her own disability, anxiety disorder, and additional financial responsibility.

The man suffered increasing health-related harm through:

- existential fear,
- forced dependency,
- guilt towards the woman,
- the visible deterioration of her situation,
- the loss of the private protected space,
- and the permanent impossibility of ending the situation.

The state measure was therefore not merely capable of endangering health in the abstract.

It caused concrete harm to health.

Once these consequences had been communicated and documented, every subsequent decision had to take them into account.

An authority cannot simultaneously know that a measure is making people ill and continue to treat it as though the issue concerned exclusively the mathematical allocation of income.

23.7 Knowledge Through Proceedings

The dispute over the Bedarfsgemeinschaft was not conducted merely in private.

It became the subject of formal proceedings.

Objections were lodged.

Courts were called upon.

Separate economic responsibility was declared.

The health-related and familial consequences were raised.

State authorities were therefore repeatedly given the opportunity to examine the process.

Each proceeding generated additional knowledge.

Each submission introduced new facts into the record.

Each judicial involvement made visible that those affected did not accept the construction as viable private responsibility, but experienced it as existential violence.

State knowledge therefore did not arise only once.

It was continuously renewed.

23.8 The Duty to Consider the Overall Situation

A fundamental problem of institutional procedures is that each authority considers only one fragment.

The Jobcenter examines income and need.

A medical body examines diagnoses.

A court examines a particular administrative decision or period.

Another authority examines disability or additional needs.

The overall process can thereby disintegrate into separate fragments.

Yet the harm arises from the interaction of all these decisions.

State responsibility therefore requires consideration of the overall situation.

The question was not only:

> Is there, mathematically, income above a particular amount?

But:

> What overall effect arises when this income is imputed to a woman who is herself disabled, while her partner has no real employment prospect and a shared child lives in the household?

Without this overall perspective, institutional knowledge is artificially fragmented.

Each authority can declare that it does not have an overview of the entire process.

Those affected, however, must bear its entire effect.

23.9 Warnings as a Stop Signal

In an ethically regulated experiment, concrete indications of severe harm would constitute a stop signal.

The warnings in the case examined here should at minimum have triggered the following questions:

- Does the income imputation endanger the woman's existing employment?
- Is the man actually being adequately provided for?
- Is there a voluntary willingness to assume financial responsibility?
- Can the woman build necessary reserves?
- Are both people capable, in health terms, of bearing the burden?
- What consequences arise for the child?
- Is there a realistic possibility that the pressure will lead to economic independence?
- What less harmful alternatives exist?

A warning does not automatically require every claim made by those affected to be accepted without examination.

But it does require a serious, open examination capable of producing a different outcome.

An examination is not open if the basic construction is intended to remain in place regardless of the result.

23.10 Escalation Despite Warning

What weighs particularly heavily is when the state response to documented harm consists not in relief, but in further escalation.

The pressure is then not continued despite a lack of information.

It is continued despite increasing information.

The imputation remains in place.

Payments are reduced.

Repayment claims may be added.

Those affected must provide further evidence.

New proceedings become necessary.

Legal uncertainty increases.

The measure therefore produces not only the original deprivation.

It produces a second level of violence:

> Under increasing health-related strain, those affected must fight ever more complexly against the burden imposed by the state.

Defending themselves against the measure itself becomes an additional source of harm.

23.11 The Knowledge of the Apparatus

It is not necessary for every individual person within the apparatus to know all the facts.

Institutional knowledge can be composed of files, submissions, assessments, administrative decisions, objections, and court proceedings.

The state cannot fully absolve itself merely because information is distributed across different bodies.

If knowledge exists but is not organisationally brought together, this is itself an institutional problem.

An apparatus that intervenes deeply in people's lives must be capable of recognising warning signals and making them effective in decision-making.

Otherwise, its fragmentation produces systematic irresponsibility.

23.12 From Foreseeability to Concrete Knowledge

Several stages can be distinguished with regard to responsibility.

First Stage: General Foreseeability

It is generally foreseeable that a lack of subsistence security, absence of reserves, and permanent financial pressure can produce psychological and health-related harm.

Second Stage: Recognisable Particular Vulnerability

The responsible authorities know that both adults are neurodivergent and disabled and that their capacity for strain is limited.

Third Stage: Concrete Warning

Those affected communicate that the measure is in fact endangering health, work, the relationship, and family stability.

Fourth Stage: Documented Harm

The harms occur or intensify and are documented through letters, medical records, procedural files, or other evidence.

Fifth Stage: Continuation

The measure is not ended or sufficiently adapted despite this knowledge.

With each stage, reliance on lack of knowledge becomes less plausible.

At the end, there is no longer merely a foreseeable danger.

There is known harm.

23.13 The Decision Not to Respond

Omission often appears less violent than active action.

But in the case examined here, failure to respond is itself effective.

If the state knows of a coercive situation that it has created and does not end it, it decides that the situation is to continue.

This decision can hide behind passivity:

- no renewed examination,
- no provisional suspension,

- no recognition of exceptional hardship,
- no coordination with other bodies,
- no individual support,
- no protection of the woman's capacity for employment.

Yet every omitted correction allows the material effect to continue.

The violence does not require a new conscious decision every month.

It requires only the decision not to stop the existing mechanism.

23.14 Legal Routine as Moral Choice

An institution may experience continuation as routine.

The administrative decision remains in force.

The legal situation is said to be unchanged.

The proceedings are said not yet to be concluded.

The requirements are said not to have been sufficiently demonstrated.

For those affected, however, this routine is not neutrality.

It means:

- further shortfall,
- further private burden,
- further fear,
- further loss of health,
- further endangerment of work,
- and further destruction of the familial protected space.

Routine therefore acquires a moral quality once its consequences are known.

The decision to wait for the end of proceedings may simultaneously be the decision to allow severe harm to continue until then.

23.15 The Problem of Retrospective Legal Protection

A later success in objection or court proceedings can correct financial amounts.

It cannot necessarily restore:

- lost health,
- lost capacity to work,
- depleted reserves,
- destroyed artistic production,
- damaged trust,

- lost family time,
- or the psychological consequences of years of powerlessness.

The question of knowledge is therefore closely connected to the question of timely protection.

The more severe and irreversible the threatened harms, the less sufficient is legal protection that becomes effective only after they have materialised.

23.16 The Evidentiary Trap

Those affected enter another double bind.

In order to obtain state protection, they must prove the harms.

But in order to prove the harms convincingly, they may have to wait until those harms are already far advanced.

As long as the woman is still just managing to maintain her employment, the state can claim that the burden remains sustainable.

If the employment collapses, the evidence has been produced — but the capacity to work may already have been lost.

As long as the man can still conduct his proceedings, his psychological destruction may be underestimated.

If he can no longer conduct them, he lacks the capacity to demand protection.

The system thereby demands proof of collapse before it prevents the collapse.

This evidentiary trap contradicts preventive protective responsibility.

23.17 The Warning Contained in the Work

The decades-long works of both people affected also possess epistemic significance.

They show that the individuals were able not merely to experience their living conditions, work, and social position subjectively, but to reflect upon and document them over long periods.

In particular, the man's scientific and artistic work itself made structural violence, poverty, neurodivergence, and institutional exclusion objects of investigation.

This knowledge could not be devalued merely because it came from a person directly affected.

Being affected does not exclude knowledge.

It can provide access to processes that remain hidden from people positioned outside the institutionally affected experience.

If the state ignores this knowledge, an epistemic violation arises alongside the material one.

The person is not only harmed.

At the same time, they are denied the authority to name the harm.

23.18 Knowledge Through Public Documentation

Once a case is comprehensively documented, scientifically analysed, or made publicly accessible, the sphere of knowledge expands.

Those responsible can no longer permanently claim that the overall structure is unknown or incomprehensible.

A comprehensively documented process confronts the institution with a decision:

- It can examine the analysis.
- It can contradict it.
- It can identify errors.
- It can correct the measure.
- Or it can remain silent and continue.

Silence is then not without meaning either.

It allows the documented violence to remain in place.

23.19 No Lack of Knowledge Through Unwillingness to Know

State responsibility cannot be avoided by failing to read, combine, or take information seriously.

Those who possess substantial powers of intervention have a duty to take notice.

This applies particularly where those affected repeatedly point to severe health consequences.

Lack of knowledge may excuse where knowledge was genuinely inaccessible.

It does not necessarily excuse where an institution shields itself organisationally or epistemically from knowledge.

An administration that accepts only information that fits its existing categories produces systematic blindness.

This blindness is not neutral.

It protects the mechanism from correction.

23.20 The Transition in Intent

For the ethical assessment, it is not necessary that the state intended every individual harm in concrete terms from the outset.

What matters is the transition that occurs with increasing knowledge.

At the beginning, the authority can say:

We assume that the construction works.

After years without success, it must say:

The construction has not worked so far.

After concrete warnings, it must say:

It may be causing severe harm.

After documented escalation, it must say:

The harms are actually occurring.

If the measure is nevertheless continued, the operative decision becomes:

The harms are not a sufficient reason to end the construction.

At this point, they are knowingly accepted.

23.21 Warning Without Effect

A warning has institutional significance only if it is capable of triggering action.

In the case examined here, there was a danger that indications were merely incorporated into the files.

They were documented.

They may have been forwarded.

They became part of the proceedings.

But the mechanism remained in place.

Documentation itself thereby turns into a paradoxical structure.

The state possesses ever more knowledge.

Yet the violence does not change.

The file becomes more complete.

The life becomes more destroyed.

23.22 The Institutional Decision Threshold

At the latest, once the following facts were known together,

- both adults are disabled,
- the woman herself has only limited capacity to work,
- her economic independence is endangered,
- the man has no realistic short-term way out,

- the measure worsens his health,
- the relationship is losing its protective function,
- a child is affected,
- and the woman does not wish to assume the presumed economic responsibility,

the construction should have been completely reassessed.

Not merely mathematically.

Not merely formally.

But in terms of fundamental and human rights.

Continuation beyond this threshold requires particular justification.

Mere reliance on the rule is no longer sufficient.

23.23 Knowledge and Cruelty

Cruelty need not consist in a person taking pleasure in the suffering of another.

Institutional cruelty can consist in known suffering being rendered insignificant in relation to other objectives.

The state knows that the woman is being harmed.

But the imputation remains more important.

It knows that the man is decompensating.

But the activation logic remains more important.

It knows that the child requires stability.

But the Bedarfsgemeinschaft remains more important.

It knows that no realistic way out exists.

But continuation of the proceedings remains more important.

The cruelty then lies in the hierarchy of significance.

The suffering is seen.

It simply does not count enough.

23.24 From Experiment to Responsibility

At the beginning, the state construction could still be read as an experiment:

> Perhaps the pressure will lead to the desired change.

After more than thirteen years, after absent support, documented disability, health-related escalation, and repeated warnings, this description is no longer sufficient.

The experiment has produced a result.

It is:

- no economic independence for the man,
- endangerment of the woman's economic independence,
- health-related harm to both,
- loss of family stability,
- and increasing dependency.

Whoever knows this result and nevertheless continues the experiment is no longer merely experimenting.

They bear responsibility for the continuation of the result.

23.25 The Central Sentence

The violence of the case examined here therefore lies not only in the original decision.

It lies in knowing and continuing anyway.

The state knew of the disability.

And continued.

It knew of the absence of any realistic employment prospect.

And continued.

It knew of the woman's limited capacity to work.

And continued.

It knew of the health-related harm.

And continued.

It knew of the familial double bind.

And continued.

It knew that a child was affected.

And continued.

At this point at the latest, every plausible narrative of a mere administrative error ends.

23.26 The Legal and Ethical Consequence

Concrete knowledge of the harms gives rise to at least three duties:

1. the duty to undertake an immediate renewed examination,
2. the duty to provisionally suspend severely harmful effects,
3. the duty to choose a less burdensome means.

If these steps are omitted, continuation itself requires justification.

The state can then no longer merely explain why the original rule exists in the abstract.

It must explain why it maintained it despite its concrete destructive effects.

23.27 The Evidentiary Question of the Paper

The paper does not claim that every state body possessed identical knowledge at every point in time.

It identifies a verifiable structure:

> The longer the arrangement continued, the more concretely the harms were documented, and the more bodies became involved in the case, the less the state could rely on lack of knowledge.

The final assessment must be based on the chronology of the records.

But the documented duration and repeated institutional involvement already show:

The harm lay within state perception.

It became part of the proceedings.

23.28 The Final Warning

This paper itself is, finally, part of the warning.

It does not merely reconstruct the process retrospectively.

It makes the continuing responsibility visible.

Once it has been received, no responsible body can any longer claim that the connection between income imputation, double disability, health-related disintegration, familial double bind, and threatened incapacity for work has not been identified.

The case has been described.

The structure of violence has been exposed.

The consequences have been explained.

The question is no longer:

> Could the state have known?

It is:

> What does it do after it knows?

24. The Omitted Less Restrictive Means

A state measure that intervenes deeply in subsistence, health, family, and capacity for employment must not be assessed solely according to whether it serves a legitimate aim.

It must also be necessary.

This means:

> The state must not employ a more seriously harmful means where a less burdensome path is available that can achieve the objective equally well or better.

In the case examined here, precisely this requirement is doubtful.

The Bedarfsgemeinschaft was not maintained because no alternative could have been conceived.

It was maintained even though numerous less harmful possibilities existed.

These alternatives would not have guaranteed that the man would become economically independent.

But they would have prevented the destruction of the woman's existing capacity for employment, the health of both adults, and the familial protected space.

The less harmful means did not consist in a single measure.

It consisted in a different fundamental state decision:

> Not more pressure, but less disabling.
>
> Not private cost-shifting, but individual protection.
>
> Not the destruction of existing functional capacity, but its protection.

24.1 Individual Subsistence Support

The most obvious less harmful means would have been to secure the man's individual subsistence minimum.

His material existence would thereby not have been made dependent on the woman's self-sacrifice.

The woman would have been free to decide whether and to what extent she supported him.

Her care would not automatically have become a fiscal resource.

The man would not have had to experience necessary expenditure as a moral burden on his partner.

The relationship could have retained its function as a space of protection and life.

Individual subsistence support would therefore not merely have meant a higher payment.

It would have interrupted the coercive structure itself.

24.2 Recognition of the Actual Economic Arrangement

A further less harmful means lay in seriously examining the actual economic relationship.

Living together, having a shared child, and emotional closeness do not automatically prove that both people permanently treat their income as common property.

What should have been examined in particular included:

- separate accounts,
- separate expenditure,
- actual distribution of costs,
- absence of control over the other person's income,
- explicit declarations of unwillingness to assume financial responsibility,
- and whether individual acts of assistance occurred only to avert acute deprivation.

An administration that had openly examined the lived economic arrangement could have recognised that the alleged community of mutual responsibility may only have been coerced into existence through the withdrawal of benefits.

The less harmful means would have consisted in treating the statements of those affected not as a disturbance of the statutory presumption, but as a serious description of facts.

24.3 Protecting the Woman as an Independent Legal Subject

The woman should not merely have been viewed as part of the man's economic environment.

She was herself disabled.

She was herself precarious.

She herself had only limited capacity to work.

A less harmful means would therefore have required her own existence to be viewed entirely from the perspective of her need for protection.

This would have included:

- protection of necessary reserves,
- recognition of her limited capacity for strain,
- securing her mobility,
- protection of her part-time work,
- consideration of health risks,
- and prevention of additional private liability.

The system treated her as a resource.

The less harmful means would have treated her as a person.

24.4 Protecting Reserves Instead of Consuming Them

Reserves do not serve only comfort or wealth accumulation.

For precariously employed and disabled people, they can be a direct condition of capacity to work.

They enable:

- repairs,
- replacement purchases,
- mobility,
- bridging periods of illness,
- treatment,
- occupational transitions,
- and prevention of renewed need for assistance.

The event card of the broken car makes this visible.

Without reserves, a technical failure can become a threat to employment.

A less harmful means would therefore have consisted in giving particular protection to reserves necessary for work and health.

This might have led to higher state expenditure in the short term.

In the longer term, it would have secured the woman's existing employment.

24.5 Preserving Existing Work

Social policy must not act only once employment has already been lost.

It must protect existing work.

The woman was already employed.

Her employment, however, was possible only within a limited structure of strain.

A less harmful means would have asked:

> What does she need in order for this work to continue?

Not:

> How much of her income can be used to relieve the state?

Preserving her employment should have taken priority over short-term cost reduction.

For the loss of this work would not only have increased her own need for assistance.

It would have further destabilised the entire family.

24.6 Disability-Appropriate Support for the Man

The system invoked economic independence without creating a realistic path towards it.

A less harmful and at the same time more goal-directed means would have been genuinely disability-appropriate support.

This would have started from the abilities that actually existed.

Not from an abstract standard biography.

Possible measures would have included:

- support in economically developing his art and research,
- administrative assistance,
- help with publication, placement, and project financing,
- long-term rather than short-term funding logic,
- adapted forms of self-employment,
- flexible part-time work,
- low-stimulus and low-communication work structures,
- written procedures,
- and recognition of non-linear work biographies.

For decades, the man had demonstrated that he could work.

The problem was not the absence of work.

It was the absence of a sustainable translation of this work into income.

An intelligent system would have worked precisely on this translation.

24.7 Reasonable Accommodation in the Procedure

The administrative procedure itself could also have been adapted.

For neurodivergent people, unclear letters, changing requirements, short deadlines, and contradictory communication can create substantial burdens.

Less harmful means would have included, for example:

- clear written communication,
- longer or flexible deadlines,
- fixed contact persons,
- early explanations,
- reduced repetitive evidentiary requirements,
- support with documentation,
- and avoidance of unnecessary burdens of proof.

Such accommodation would not by itself have resolved the underlying material issue.

But it would have prevented legal self-defence itself from becoming an additional producer of illness.

24.8 Provisional Protection in Cases of Severe Harm

Once concrete indications of health-related and familial escalation existed, another less harmful means would have been available:

> the provisional suspension or limitation of the harmful effect.

The state did not have to wait until every legal question had been finally resolved.

It could have provisionally ensured individual subsistence support.

It could have suspended repayment claims.

It could have examined exceptional hardship.

It could have prevented irreversible harm from occurring during the proceedings.

The principle should have been:

> Where there is a risk of severe and irreparable harm, the state must not make those affected bear the entire procedural risk.

24.9 The Burden of Proof Must Not Lie at the Point of Collapse

A less harmful procedure would not have required those affected to collapse completely before their limits of strain were recognised.

The existing indications would have been sufficient to act preventively:

- documented disabilities,
- limited part-time employment,
- lack of reserves,
- long-term hopelessness,
- health-related warnings,
- and the affected child.

Prevention means taking a danger seriously before it has fully materialised.

The system should not have asked:

> Is the woman already incapable of work?

But:

> What must we do so that she does not become incapable of work?

24.10 Independent Overall Assessment

A further less harmful means would have been an independent, interdisciplinary overall assessment.

The case simultaneously concerned:

- social law,
- disability law,
- capacity to work,
- mental health,
- family life,
- child welfare,
- cultural work,
- and human-rights questions.

A purely fiscal calculation could not capture this complexity.

What was required was a body that did not merely ask whether the mathematical conditions of a Bedarfsgemeinschaft were met.

It should have examined:

- What real consequences does the construction produce?
- What duties of protection exist?
- What alternatives are available?
- What limits of strain exist?
- Which measure is most likely to preserve participation and capacity to work?

24.11 Preservation of the Family as a Protected Interest

A less harmful means would have had to treat preservation of the family expressly as an objective.

Not merely as a moral resource.

Not merely as a justification for private responsibility.

But as a protected interest in its own right.

The state decision should therefore have asked:

> Does our measure create economic pressure towards separation?

If the answer is yes, the construction must be fundamentally reassessed.

A social policy that respects family relationships only where they absorb state costs does not protect the family.

It uses it.

24.12 Protection of Artistic and Research Work

The existing artistic and scientific work could also have been taken into account as an achievement worthy of protection.

This does not mean that every artistic activity must automatically be fully state-funded.

It does mean, however, that decades of publicly relevant work must not simply be treated as meaningless private occupation.

Less harmful means could have included:

- project-related support,
- longer funding periods,
- support in obtaining third-party funding,
- recognition of independent research and artistic activity,
- and subsistence support that does not destroy this work through permanent crisis management.

The alternative to standard employment was not doing nothing.

It already existed.

It was simply not financed in a suitable way.

24.13 A Welfare State of Preservation

The system examined here operates primarily through pressure for change.

A less harmful model would begin with preservation.

It would ask:

- What capacity to work already exists?
- Which relationship provides stability?
- Which routines sustain life?
- Which artistic work produces meaning and competence?
- Which material reserves prevent the next collapse?
- Which support protects the child?

Preservation is not a passive objective.

It is often the condition for any later development.

Whoever destroys the existing equilibrium cannot claim to be producing progress by doing so.

24.14 The Less Harmful Means Was Also the More Suitable One

The less harmful alternatives were not merely more humane.

They would also have been better suited to achieving the officially stated objective.

Individual subsistence support would have stabilised the man.

Protection of the woman would have preserved her employment.

Reserves would have secured mobility and resilience in crises.

Reasonable accommodation would have reduced executive burden.

Disability-appropriate support would have started from real abilities.

Family stability would have enabled regeneration and co-regulation.

The less harmful means was therefore not a renunciation of activation.

It was the precondition for meaningful development.

24.15 The Ideological Narrowing of Alternatives

Why were such means not used, or not used sufficiently?

One possible explanation lies in the ideological narrowing of the problem.

If poverty is understood primarily as a consequence of insufficient personal responsibility, pressure appears to be the obvious response.

If private closeness is treated as an available resource, income imputation appears self-evident.

If disability is understood primarily as an individual deficit, institutional adaptation appears secondary.

If art counts as work only when it generates sufficient income, protecting it appears unnecessary.

The system then sees no alternative because its own concepts render alternatives invisible.

24.16 Not Impossibility, but Political Choice

The violence was therefore not unavoidable.

It was the result of political and administrative prioritisation.

The state could have:

- paid more,
- examined the case more individually,
- protected reserves,
- adapted support,
- preserved work,
- eased procedures,
- and interrupted the familial coercive situation.

Instead, it chose:

- imputation,
- pressure,
- private responsibility,
- burden of proof,
- and continuation.

The absence of alternatives was constructed.

24.17 Cost Arguments

It may be objected that less harmful means would have generated higher public costs.

But the chosen measure is not without cost either.

Its costs merely appear elsewhere:

- illness,
- reduced working hours,
- possible incapacity for work,
- further dependence on social benefits,
- medical treatment,
- court proceedings,
- familial harm,
- and lost cultural production.

Savings in the benefits budget may be more expensive for society as a whole.

Above all, however, cost arguments cannot be weighed without limit against fundamental and human rights.

A state must not destroy health and family merely because protecting them initially costs more money.

24.18 The Omitted Less Harmful Means as Responsibility

The existence of less harmful alternatives changes the ethical assessment.

An unavoidable harm must be judged differently from an avoidable one.

In the case examined here, the suffering was not the necessary price of a measure without alternatives.

It was the consequence of the decision to prefer more burdensome instruments over supportive possibilities.

The omission itself thereby becomes relevant.

The state did not merely do something harmful.

It simultaneously failed to do what was less harmful.

24.19 The Point of Termination

At the latest, once it became visible that the measure:

- produced no economic independence,
- pushed the woman towards becoming dependent on benefits herself,
- worsened the man's health,
- turned the relationship into a space of enforcement,
- and could destabilise the child,

the experiment should have been ended.

Not optimised.

Not extended.

Not supplemented with further evidentiary requirements.

Ended.

Termination would have meant:

- restoring individual subsistence support,
- interrupting private compulsory liability,
- protecting the woman's capacity for employment,
- and developing a new disability-appropriate perspective.

24.20 The State Was Not Powerless

Those affected could not end the structure without harm.

The state could.

It possessed:

- legal powers of design,
- administrative discretion and powers of review,
- access to support measures,
- provisional protective instruments,
- and the possibility of legislative change.

The violence therefore did not consist in a tragic situation in which no one could help.

It consisted in a situation in which the most powerful actor involved did not provide sufficient help and simultaneously continued the burden.

24.21 The Omitted Counter-Experiment

The Bürgergeld system effectively conducted an experiment with pressure.

But it did not seriously conduct the counter-experiment:

> What happens when both people are adequately secured, individually protected, and supported in a disability-appropriate manner?

Perhaps under more stable conditions the man could have developed his work more effectively in economic terms.

Perhaps the woman could have maintained her part-time employment permanently.

Perhaps the family could have protected its co-regulation.

Perhaps the social costs would have fallen.

This counter-experiment was not conducted.

Instead, the failure of the pressure model was extended again and again.

24.22 The Proportionality Balance

The balance is clear.

Asserted Benefits

- reduction of state expenditure,
- activation of the man,
- private responsibility,
- possible economic independence.

Actual Harms

- no economic independence,
- endangerment of existing work,
- loss of reserves,
- health-related harm,
- familial double bind,
- burden on the child,
- destruction of conditions for artistic and research work,
- growing dependency.

Available Alternatives

- individual support,
- protection of the woman,
- disability-appropriate assistance,
- reasonable accommodation,
- protection of reserves,

- provisional suspension,
- independent overall assessment.

A measure whose benefits remain speculative, whose harms are concrete, and for which less harmful means are available is not proportionate.

24.23 The Duty to Correct

The less harmful means is relevant not only to future cases.

It establishes a present duty.

If the experiment in violence is still ongoing, the responsible state body must:

1. immediately interrupt the harmful effect,
2. secure the individual need,
3. end the burden on the woman,
4. recognise the health-related and familial consequences,
5. and develop a new solution that is genuinely disability-appropriate.

A mere review at some later point is not sufficient.

As long as the effect continues, the harm continues as well.

24.24 The Central Finding

The state violence was not unavoidable because two disabled people were poor.

It arose because the state translated their poverty into private liability and failed to make sufficient use of supportive alternatives.

The less harmful means lay openly before it:

> secure one person without destroying the other.
>
> preserve existing work instead of producing new incapacity for work.
>
> protect the family instead of using its bond as an instrument of pressure.
>
> adapt the institution to disability instead of allowing disabled people to break against the institution.

That this did not happen is not a technical detail.

It is part of the wrong.

25. The Experiment Must Be Stopped

At the beginning of this paper stood a game.

Two disabled, neurodivergent artists live with their child in a shared household.

The man has worked for decades on art and research without generating an income sufficient to secure subsistence.

The woman works part-time despite her own disability and at the same time produces a recognised artistic body of work.

Both have limited resources.

Both require stability.

Both protect one another.

Then the state intervenes in this relationship.

It declares them a Bedarfsgemeinschaft.

It imputes the woman's income against the man's needs.

It turns her work into a resource for securing his subsistence.

It turns his need into her economic obligation.

It turns her help into evidence that further help can be presumed.

It turns their living together into a source of financial danger.

It turns separation into a possible way out.

From this moment onward, the game begins.

But it is not a game that can be won.

25.1 The Exit Was Unattainable

The declared objective was economic independence.

The man was supposed to leave benefit receipt.

The woman was supposed to continue her employment.

The family was supposed to support itself.

But none of the necessary paths towards this outcome were created.

There was no realistic disability-appropriate employment perspective.

No effective translation of the existing artistic and scientific abilities into secure income.

No sufficient support.

No protection of neurodivergent working conditions.

No institutional recognition of the limits of either adult.

Instead, the pressure was increased.

The objective remained.

The path was absent.

Economic independence therefore did not become an attainable exit.

It became the alibi for continuing the experiment.

25.2 Every Move Produced Harm

If the man remained in the shared household, the woman's income was imputed.

If he left the household, he endangered the family and the relationship.

If he accepted her support, she lost reserves and security.

If he rejected it, he remained underprovided.

If the woman worked more, she endangered her health.

If she worked less, income fell.

If she protected herself, she had to leave the man exposed to his state-produced deprivation.

If she protected him, her care was used against her.

Neither could act correctly.

They could only decide at which point the harm would occur.

Such a system does not test personal responsibility.

It produces guilt under conditions of absent agency.

25.3 The State Stood Outside the Pain

Those affected experienced the consequences directly.

They experienced them in the body.

In sleep.

In fear.

In exhaustion.

In bank statements.

In necessary expenditure.

In the broken car.

In the question of which bill could still be paid.

In the visible decompensation of the other person.

The state experienced the same process as a file.

As a calculation.

As an administrative decision.

As a presumption.

As a legal question.

As a period of time.

This distance did not change the effect.

It changed only who had to feel it.

The authority could continue the proceedings without sitting in the household.

Without seeing the child.

Without witnessing the woman's collapse.

Without carrying the man's guilt.

Without lying awake at night.

Administrative distance was therefore not neutral.

It was a condition of continuation.

25.4 The Picture Remained on the Wall

The political order recognised the woman's work.

Her art hung in the state parliament.

It was visible.

Institutionally present.

Part of the cultural self-representation of the state.

Yet outside this representative space, the artist's material foundation was being attacked.

Her income was treated as an available resource.

Her reserves lost their protective function.

Her limited capacity to work was overstretched.

Her care for a loved person was fiscally utilised.

The picture remained on the wall.

The artist was consumed.

This contradiction condenses the entire case.

The state preserves the work and endangers the person who produced it.

It recognises cultural value and denies the conditions of its continuation.

It adorns itself with the result of labour whose producer it simultaneously forces into private liability.

25.5 The Man Had to Watch

The violence was directed not only against the man because his subsistence minimum was reduced.

It was also directed against him because he was forced to witness the consequences for the woman.

He saw how her work was endangered.

How her reserves disappeared.

How her fear increased.

How she tried to close the gap produced by the state.

How her health paid the price.

He could not end this process.

He could not simply produce sufficient income.

He could not shed his disability.

He could not change the labour market by himself.

He could not himself overturn the state imputation.

He could relieve the woman only by further harming himself or leaving the family.

This was bound witnessing.

The state did not impose the burden only on the man.

It imposed it before his eyes on a person he wanted to protect.

25.6 The Woman Became the Instrument

The woman was not merely indirectly affected.

She became an instrument of state behavioural control.

Her burden was supposed to move the man towards change.

Her income was supposed to compensate for his need.

Her care was supposed to absorb the state's withdrawal.

Her exhaustion became part of the pressure.

She thereby became both victim and means.

The state reached into her relationship with the man because it could assume that she would not completely abandon him.

Her humanity made the construction functional.

Her love became an enforcement resource.

25.7 The Child Lived in the Experiment

The child had no neutral observer position.

It lived in the space transformed by the measure.

It lived with two increasingly overloaded parents.

With financial insecurity.

With health-related destabilisation.

With possible separation as an economic way out.

With an everyday life in which the private protected space lost its security.

The child should not become legally and morally visible only once manifest harm has been established.

Its endangerment already lay in the destruction of the conditions on which its stability depended.

25.8 The Experiment Has Produced Its Result

After more than thirteen years, no further test phase is required.

The result exists.

The man did not become economically independent.

The woman was not relieved.

Her employment was not protected.

The family was not stabilised.

The disabilities were not accommodated.

The artistic and scientific work was not economically developed.

Instead, there arose:

- private dependency,
- health-related harm,

- fear,
- guilt,
- loss of reserves,
- endangerment of existing work,
- familial double bind,
- and an increased likelihood of future dependence on social assistance.

The experiment did not achieve its asserted objective.

It produced its opposite.

25.9 Continuation Is Not Neutrality

After this result, the measure can no longer be regarded as an open trial.

Every continuation is a decision.

It means:

> The known harms are accepted.
>
> The hopelessness does not change the rule.
>
> The woman's health weighs less than the imputation.
>
> The man's decompensation weighs less than the activation logic.
>
> Family stability weighs less than the presumed private responsibility.
>
> The child weighs less than continuation of the proceedings.

The institution does not have to pronounce these sentences.

It realises them by not stopping.

25.10 It Is No Longer About Motivation

The man does not need to be more strongly motivated.

He has worked for decades.

The woman does not need to be moved towards greater responsibility.

She has long since assumed more responsibility than was sustainable for her health.

The family does not need to learn to take responsibility for one another.

It was precisely their mutual responsibility that the state exploited.

The problem does not lie in a lack of private morality.

It lies in an excess of state pressure.

25.11 This Is Not an Exception Based on Compassion

Stopping the experiment would not be an act of grace.

Not friendly special treatment.

Not recognition of personal sympathy.

It would be the consequence of:

- the measure's lack of suitability,
- its severe harmfulness,
- the availability of less harmful means,
- multiple disability,
- endangerment of existing capacity for employment,
- protection of family and child,
- and the state's knowledge of the consequences.

The point is not to spare those affected exceptionally from an order that is fundamentally correct.

The point is to recognise that, in this case, the order itself has become wrongful.

25.12 Stopping Does Not Mean Giving Up

Stopping the experiment does not mean abandoning every prospect of development.

It means no longer treating destruction as a precondition of development.

Stopping it would initially mean:

- securing the man's individual subsistence,
- relieving the woman of coerced private liability,
- protecting her work and reserves,
- stabilising the familial space,
- recognising the health-related harms,
- and developing a genuinely disability-appropriate perspective.

Only under such conditions can work, participation, and economic development again be discussed meaningfully.

A person in a permanent state of alarm is not free to redesign their life.

A family under coercion is not a starting point for activation.

Stabilisation is therefore not the opposite of development.

It is its precondition.

25.13 The State Must Take the First Step

Those affected have compensated for years.

They have worked.

Saved.

Gone without.

Submitted documents.

Checked administrative decisions.

Objected.

Litigated.

Described health consequences.

Declared separate economic responsibility.

Documented the burden.

Analysed the wrong.

They cannot produce the solution once again out of the same destroyed resources.

The next step does not lie with them.

It lies with the authority that decides whether the mechanism continues.

25.14 No Further Card

The game must not continue with a new event card.

Not with the next broken object.

Not with the next illness.

Not with the next administrative decision.

Not with the next repayment claim.

Not with the next reduction.

Not with the next judicial period.

Not with the next piece of evidence that the people are not yet completely destroyed.

There must be no waiting to see which event finally causes the fragile system to collapse.

The danger is already visible.

The result is already known.

25.15 The Burden of Proof of Civilisation

A democratic welfare state must not require people to await their complete destruction before ending a harmful measure.

Those affected must not have to prove that they cannot endure any more pain.

The state must prove that every further intervention is necessary, suitable, and compatible with human rights.

The more severe the known consequences, the higher this burden of proof.

The more vulnerable those affected, the greater the duty of protection.

The longer the failure continues, the less sufficient reliance on routine becomes.

The burden of proof does not lie with the bodies that are breaking.

It lies with the power that wishes to continue.

25.16 The Political Significance of the Case

The case concerns more than the specific family.

It makes visible a mechanism that can arise wherever the state:

- replaces individual subsistence support with partner income,
- presumes private care,
- individualises disability-related barriers to employment,
- and accepts severe harm as an effect of activation.

Not every Bedarfsgemeinschaft produces the same intensity.

Not every income imputation becomes ill-treatment.

But the structure contains the possibility.

Where two vulnerable people are coupled to one another through income and need, the state can use one body to steer the other.

Where no real possibility of exit exists, activation can become the infliction of pain.

Where warnings remain without consequence, administration can become cruelty.

The case is therefore not merely an anomaly.

It is a stress test of the underlying order.

25.17 The Scientific Significance

The paper has reconstructed the process as an experiment because this perspective makes visible what the isolated examination of individual administrative decisions conceals.

There are:

- a defined objective,
- rules set by the state,
- asymmetrically distributed power,
- repeated interventions,
- observable behavioural and health consequences,
- a continuing experimental arrangement,
- and a refusal to terminate the experiment despite negative results.

The decisive difference from a legitimate experiment is that:

- there is no free consent,
- there is no safe exit,
- no independent ethical oversight intervenes,
- no binding termination threshold operates,
- and the experimental subjects themselves must bear the consequences.

The state generates data in human bodies without recognising those data as a refutation of its hypothesis.

25.18 The Moral Significance

The central moral question is not whether people fundamentally bear responsibility for one another.

Of course they do.

The question is whether the state may force this responsibility by exposing one person to the need of another.

Whether it may use love as an instrument of pressure.

Whether it may make a woman pay until her own capacity to work is endangered.

Whether it may force a man to witness her destruction in order to produce an action that is not possible for him.

Whether it may leave a child within this space.

And whether it may then continue to say:

> Please continue.

25.19 The Answer

The answer must be no.

Not at some point.

Not after the next assessment.

Not after the next collapse.

Not after the conclusion of all proceedings.

Now.

The state must not force people into a game in which every possible move harms at least one of them.

It must not use economic independence as an unattainable condition to which it ties the end of suffering.

It must not declare a disabled woman an informal social benefit for a disabled man.

It must not steer the man through her destruction.

It must not translate familial love into private liability.

It must not place continuation of a failed model above people's health.

25.20 The Experiment Must Be Stopped

The measure has not produced sustainable development.

It has produced pain.

It has not produced independence.

It has produced dependency.

It has not created work.

It has endangered capacity to work.

It has not strengthened a family.

It has transformed the relationship into a double bind.

It has not accommodated disability.

It has offset two disabled people against one another.

It has not promoted responsibility.

It has privatised state responsibility.

The decisive threshold has therefore been reached.

The question is no longer how the game could be improved.

The question is why it is still running.

> The experiment must be stopped.
>
> Individual subsistence support must be restored.

> The woman must be released from coerced private liability.
>
> Existing capacity for employment must be protected.
>
> The health-related harm must be recognised.
>
> The family must no longer be used as an apparatus of pressure.
>
> And the state must take back the responsibility it shifted onto two disabled people and their child.

At the end, the image remains.

It hangs in parliament.

It bears witness to the woman's work.

The books, films, and texts bear witness to the man's work.

The child bears witness to the fact that what was offset against one another here were not abstract accounting items.

People lived here.

They worked.

They loved.

They protected one another.

And precisely this bond was used against them.

A state that understands itself as social, democratic, and bound by human rights may answer this with only one sentence:

> We will not continue.

Declaration of AI usage

Generative AI tools, including ChatGPT, were used during manuscript preparation to support language editing, structural refinement, translation and the critical review and clarification of formulations and arguments. The research, empirical material, theoretical concepts, interpretations, and scholarly conclusions are those of the author. All AI-assisted material was critically reviewed, revised where necessary, and verified by the author, who assumes full responsibility for the final manuscript.

References

Legal Sources, Conventions, and Case Law

Committee on the Rights of Persons with Disabilities (2017): *General Comment No. 5 (2017) on Living Independently and Being Included in the Community*. CRPD/C/GC/5. Geneva: United Nations.

Committee on the Rights of Persons with Disabilities (2022): *General Comment No. 8 (2022) on the Right of Persons with Disabilities to Work and Employment*. CRPD/C/GC/8. Geneva: United Nations.

Federal Republic of Germany (1949): *Basic Law for the Federal Republic of Germany*. In particular Arts. 1, 2, 3, 6, and 19.

Federal Republic of Germany (2001): *Social Code Book IX – Rehabilitation and Participation of Persons with Disabilities (SGB IX)*. In particular the provisions on participation in working life and disability-appropriate employment.

Federal Republic of Germany (2002): *Act on Equal Opportunities for Persons with Disabilities – Disability Equality Act (BGG)*. In particular Section 7.

Federal Republic of Germany (2011): *Social Code Book II – Bürgergeld, (means-tested income support for jobseekers) (SGB II)*. In particular Sections 7 and 9.

Federal Constitutional Court (2010): Judgment of 9 February 2010 – 1 BvL 1/09, 1 BvL 3/09 and 1 BvL 4/09. *Standard Benefits under SGB II ("Hartz IV")*. BVerfGE 125, 175–260.

Federal Constitutional Court (2019): Judgment of 5 November 2019 – 1 BvL 7/16. *Benefit Reductions in Social Law*. BVerfGE 152, 68–151.

Council of Europe (1950): *Convention for the Protection of Human Rights and Fundamental Freedoms – European Convention on Human Rights*. In particular Arts. 3, 8, and 13.

European Court of Human Rights (2025): *Guide on Article 3 of the European Convention on Human Rights: Prohibition of Torture*. Strasbourg: Council of Europe/European Court of Human Rights.

United Nations (1984): *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. United Nations General Assembly Resolution 39/46.

United Nations (2006): *Convention on the Rights of Persons with Disabilities*. In particular Arts. 5, 19, 27, and 28.

Literature

Abbing, Hans (2002): *Why Are Artists Poor? The Exceptional Economy of the Arts*. Amsterdam: Amsterdam University Press.

Bateson, Gregory; Jackson, Don D.; Haley, Jay & Weakland, John H. (1956): Toward a Theory of Schizophrenia. In: *Behavioral Science*, 1(4), 251–264. doi: 10.1002/bs.3830010402.

Bauman, Zygmunt (1989): *Modernity and the Holocaust*. Cambridge: Polity Press.

Farmer, Paul (2004): An Anthropology of Structural Violence. In: *Current Anthropology*, 45(3), 305–325. doi: 10.1086/382250.

Flyvbjerg, Bent (2006): Five Misunderstandings About Case-Study Research. In: *Qualitative Inquiry*, 12(2), 219–245. doi: 10.1177/1077800405284363.

Galtung, Johan (1969): Violence, Peace, and Peace Research. In: *Journal of Peace Research*, 6(3), 167–191. doi: 10.1177/002234336900600301.

Gill, Rosalind & Pratt, Andy C. (2008): In the Social Factory? Immaterial Labour, Precariousness and Cultural Work. In: *Theory, Culture & Society*, 25(7–8), 1–30. doi: 10.1177/0263276408097794.

Litz, Brett T.; Stein, Nathan; Delaney, Eileen; Lebowitz, Leslie; Nash, William P.; Silva, Caroline & Maguen, Shira (2009): Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy. In: *Clinical Psychology Review*, 29(8), 695–706. doi: 10.1016/j.cpr.2009.07.003.

Lødemel, Ivar & Trickey, Heather (Hrsg.) (2001): *An Offer You Can't Refuse: Workfare in International Perspective*. Bristol: Policy Press.

Menger, Pierre-Michel (2006): Artistic Labor Markets: Contingent Work, Excess Supply and Occupational Risk Management. In: Ginsburgh, Victor A. & Throsby, David (Hrsg.): *Handbook of the Economics of Art and Culture*. Band 1. Amsterdam: Elsevier, 765–811. doi: 10.1016/S1574-0676(06)01022-2.

Milgram, Stanley (1963): Behavioral Study of Obedience. In: *Journal of Abnormal and Social Psychology*, 67(4), 371–378. doi: 10.1037/h0040525.

Milgram, Stanley (1974): *Obedience to Authority: An Experimental View*. New York: Harper & Row.

Milton, Damian E. M. (2012): On the Ontological Status of Autism: The "Double Empathy Problem". In: *Disability & Society*, 27(6), 883–887. doi: 10.1080/09687599.2012.710008.

Murray, Dinah; Lesser, Mike & Lawson, Wendy (2005): Attention, Monotropism and the Diagnostic Criteria for Autism. In: *Autism*, 9(2), 139–156. doi: 10.1177/1362361305051398.

Raymaker, Dora M.; Teo, Alan R.; Steckler, Nicole A.; Lentz, Brandy; Scharer, Mirah; Delos Santos, Austin; Kapp, Steven K.; Hunter, Morrigan; Joyce, Andee & Nicolaidis, Christina (2020): "Having All of Your Internal Resources Exhausted Beyond Measure and Being Left with No Clean-Up Crew": Defining Autistic Burnout. In: *Autism in Adulthood*, 2(2), 132–143. doi: 10.1089/aut.2019.0079.

Scheper-Hughes, Nancy & Bourgois, Philippe (Hrsg.) (2004): *Violence in War and Peace: An Anthology*. Malden, MA: Blackwell Publishing.

Smith, Dorothy E. (2005): *Institutional Ethnography: A Sociology for People*. Lanham, MD: AltaMira Press.

Wacquant, Loïc (2009): *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham, NC: Duke University Press.

Paper from Researchprogram:

Speed, T. (2026). Povertism, Exploitation, and the Political Economy of Manufactured Vulnerability (Studies in World-Formation, Vol. 16) (Version 1). Zenodo. https://doi.org/10.5281/zenodo.19002300

Speed, T. (2026). Welfare Regimes as Structural Harm Neurodivergence, Welfare Conditionality, and Institutional Violence (Studies in World-Formation, Vol. 15) (Version 1). Zenodo. https://doi.org/10.5281/zenodo.19002085

Speed, T. (2026). Ontological Coexistence and Structural Violence in Law (Studies in World-Formation, Vol. 14) (Version 1). Zenodo. https://doi.org/10.5281/zenodo.19001795

Speed, T. (2026). Work under Eigenzeit: On the Structure of Eigenzeit-Based Binding and Its Incompatibility with Functional Work Regimes (Version 1). Zenodo. https://doi.org/10.5281/zenodo.19912699

Speed, T. (2026). ABA, Conversion, and Welfare Violence: Forced Neurotypical Identity Work as Structural Violence (Version 1). Zenodo. https://doi.org/10.5281/zenodo.21278109